

SENATE

Tuesday, February 13, 1996.

The Senate met at 1.30 p.m.

PRAYERS

[MR. PRESIDENT *in the Chair*]

PAPER LAID

1. Working Paper on Equal Opportunity Legislation. [*Minister of Public Administration and Information (Sen. The Hon. Wade Mark)*].

ORAL ANSWER TO QUESTION

1. **Sen. Prof. Julian Kenny** asked the Minister of Planning and Development:
 - (a) Could the hon. Minister inform the Senate whether any one of the ten members of the board of directors of the Environmental Management Authority has been appointed from non-profit environmental organizations?
 - (b) If the answer is in the affirmative, could the Minister state whether all or a majority of the non-profit environmental, non-governmental organizations were consulted in the selection of this particular member of the board, and the criteria employed in this selection?
 - (c) If the answer is negative, could he state what steps will be taken in the future to ensure full consultation with all non-profit environmental non-governmental organizations?

The Minister of Planning and Development (Hon. Trevor Sudama): Mr. President, in response to the question, I will give a little background information.

Section 6(2) of the Environmental Management Act, 1995, provides for the President to appoint the chairman and nine board members from the following disciplines or groups, namely, environmental management, ecology, environmental health, engineering, labour, community-based organizations, business, economics, public administration, law and non-profit environmental organizations. The Act does not require that each of the aforementioned disciplines or groups be represented on the board. Moreover, given the

Oral Answer to Question
[HON. T. SUDAMA]

Tuesday, February 13, 1996

background of an individual, it is possible for one person to represent different interests.

The present board of the Environmental Management Authority was appointed with effect from June 1, 1995 for a term of three years and, as is very obvious, was appointed by the previous regime. Ten persons were appointed and I am informed that the persons appointed to the board have been selected on the basis of their knowledge, expertise and background, consistent with the provisions of the Act.

Although, I am told, no one has been specifically appointed as a nominee of the non-profit environmental non-governmental organizations, there is among the members an individual who is involved with a non-profit environmental non-governmental organization, the Pointe-a-Pierre Wild Fowl Trust.

With respect to part (b) of the question, my information is that there was no such general consultation in the selection of this board member and when this matter comes up for review we will ensure that as wide as possible a consultation is held in order to have a representative of the non-profit environmental organizations on the board.

Sen. Prof. Kenny: I am quite happy with the explanation, Mr. President, but I would like to hear something from the Minister about consultations with the non-profit environmental non-governmental organizations. I would like to know whether there would be wide consultation involving some of these organizations which are not in Port of Spain and which may be in Matelot or Toco.

Hon. T. Sudama: We will put mechanisms in place to ensure the widest possible consultation.

SUPREME COURT OF JUDICATURE (AMDT.) BILL

Bill to amend the Supreme Court of Judicature Act, [*The Attorney General*]; read the first time.

Motion made, That the next stage be taken at the next sitting of the Senate.
[*Hon. W. Mark*]

Question put and agreed to.

ORDER OF BUSINESS

The Minister of Public Administration and Information (Sen. The Hon. Wade Mark): Mr. President, I beg to move that the Senate now consider the

second reading of a Bill to amend the Institute of Marine Affairs, Chap. 37:01 before the consideration of Motion No. 1.

Leave granted.

INSTITUTE OF MARINE AFFAIRS (AMDT.) BILL

Order for second reading read.

The Minister of Planning and Development (Hon. Trevor Sudama): Mr. President, may I take this opportunity to congratulate you on your assignment to the office of President of the Senate. It is the first time I am appearing in this Chamber and I am confident that your term would be quite successful.

I beg to move,

That a Bill to amend the Institute of Marine Affairs Act, Chap. 37:01, be now read a second time.

Mr. President, the matter before us is a simple one. What we are seeking to do through this Bill is to amend section 21 of the Institute of Marine Affairs Act to allow the President to delegate authority—which is presently vested in the Government—to grant exemption from taxes, customs duties, levies or fees in respect of equipment, material supplies, and so forth, imported into Trinidad and Tobago by the Institute of Marine Affairs and which are essential for its operations.

1.40 p.m.

Therefore, by amending section 21, the President is empowered, by order, to delegate the authority to grant such exemptions pursuant to section 52(1) of the Interpretation Act.

I will now give a brief background, Mr. President. In the past, exemptions were allowed by the Comptroller of Customs from the payment of customs duties and so forth, with respect to equipment and material imported by the Institute of Marine Affairs and which were essential to its operations. These exemptions were granted by the Comptroller in accordance with the provisions of section 17 of the Act. However, a problem arose recently that duty-free entries submitted by the Institute of Marine Affairs have been queried by officers of the Customs and Excise Division on the grounds that their interpretation of section 17 of the Institute of Marine Affairs (Amdt.) Act 1990, is that since the term “may” in the provision is discretionary, and not the imperative “shall”, as it was in the original

Act, it would be for the Cabinet in its discretion to decide on a case by case basis whether the articles imported for use by the institute should be exempt or not.

Because of this interpretation there has been some lag of time in the clearing of equipment by the institute for its development programme activities and those activities have been somewhat grossly affected. It is, therefore, necessary for the institute to continue to receive its exemptions for the importation of equipment and the Comptroller of Customs should have the discretion for allowing these exemptions once he is satisfied that these exemptions are essential for the operations without reference to the Government on a case by case basis.

We are therefore endeavouring to have this authority delegated to the Comptroller of Customs and Excise in order for him to deal with the matter of exemptions at his discretion. We are attempting to do this by repealing and replacing section 21 of the Act, where:

“The President may exempt the Institute either from payment of, or from bearing the cost of, any taxes, customs duties, fees or levies which may be imposed on the Institute in respect of any equipment, materials and supplies that are imported into Trinidad and Tobago by the Institute and which are essential for its operations.”

Mr. President, by and large, it is merely administrative matters that need to be streamlined and it was necessary to come to the Senate with an amendment to effect that.

With these few words, Mr. President, I beg to move.

Question proposed.

Sen. Prof. Julian Kenny: Mr. President, I share the hon. Minister’s evaluation of this as a simple administrative matter. However, while I will support this—which is a minor administrative matter—I think that we really ought to consider the reality of what has happened with the Institute of Marine Affairs over the past few years.

I have had a long and very close association with the Institute. I was in on the ground floor when it was being established and we had, at the time, a certain vision for where it would go. I was chairman of the management board for a period and for the past years I have been the editor of the journal, *Caribbean Marine Studies*.

The problem I have is that if one looks at the functions of the Institute and what they are actually doing, one would see that the playing field, which we hear

so much about today, is certainly not level for many people in the private sector who are involved in scientific and consulting work. The amended section (5) of the Act makes it quite clear:

“(a) that the institute is to conduct research and development on marine and related resources of Trinidad and Tobago, the Caribbean and adjacent regions;”

That is a fairly hefty responsibility. It continues:

“(b) to conduct research and development in the marine environment and other areas that impact upon the environment of Trinidad and Tobago and the Caribbean.”

And there are several other functions.

The Institute of Marine Affairs is a research institution concerned primarily with doing research and when one goes to the other function, it is supposed to be advisory to Government agencies; the Ministry of Planning and Development, Town and Country Planning, the Ministry of Agriculture, Land and Marine Resources and other ministries.

If one looks at the actual activities of the institute, for example, in 1994—I have looked at their scientific publications, this is how one evaluates any research in situations as the hon. Minister knows only too well, having come from academe—there were five publications that I can see as reference journals as well as some conference proceedings. If one looks at these papers one will see a little bit of natural products, chemistry, something on marine worms, the morphology and geology of the mountains in Jamaica and fin fishes. If one takes all the publications of this institute which cost approximately \$7 million per year, it works out to 64 pages. In academe this would be good grounds for having a thorough review of what is being done.

The institute is also active in doing consultancy work. There is no problem within its Act, if it is advising or doing studies for a ministry or another Government agency, but when one looks at the rest of its work—I will not give all the details to the Senate—there are over 1,000 pages of technical data which are the property of the clients. This is not scientific research within the public domain. In other words, the institute is very much involved in business.

Mr. President, there are at least two limited liability companies and there are five consortia which are involved in doing consultancy work on marine matters.

The problem which has arisen is that these firms and consortia are frequently invited to bid for work with the ministry or the National Gas Company and so forth—this is selective bidding—and the parties will be, firm ‘A’; firm ‘B’ and the Institute of Marine Affairs. But firm ‘A’ pays business levy and firm ‘A’ pays corporation tax. Here we have a situation in which a state agency has now abandoned—in my view—its prime responsibility, which is to produce scientific research on our marine environment, and has actually gone into business competing with the private sector.

1.50 p.m.

I think there is probably a way around this, Mr. President. A message ought to be sent to the institute informing it of the country’s expectations for the expenditure of funds. We have expectations for research, building a knowledge of our environment which will go into the public domain at the information centre at the Institute of Marine Affairs. As to its commercial activities, I think the only solution is to set up a small company under the Companies Act, and have this company play on a level playing field with the parent institute just simply providing services for fees. There is nothing wrong with an institution like the IMA providing technical services to all the partners who are bidding.

Finally, I think there is a long-term problem for the institute because it has become so involved in the business-end of marine environment that it is placing itself in a position where it is going to be very, very awkward, because when firms submit proposals to build something in the sea, such as a hotel or a jetty, they go to the Town and Country Planning Division for evaluation and the Institute of Marine Affairs advises the Town and Country Planning Division. Now, if another firm does the technical study, it is the Institute of Marine Affairs which will do the evaluation of the technical study. Now if the Institute of Marine Affairs does the technical study I do not know who could do the evaluation, and herein lies the problem.

I suggest that the Ministry re-examines the institute’s terms of reference and does a proper performance appraisal, going back to the Act and to what are its major responsibilities and provide some direction to the board. Otherwise, I am afraid, the Institute of Marine Affairs, as a reputable scientific institution, will be totally dead, without any substance at all, and it will just end up as a consultant firm doing some Government work and competing with other private firms doing exactly the same work and at the end of the day it will be of little consequence.

Thank you, Mr. President.

Sen. Nafeesa Mohammed: Mr. President, the Bill that is before this honourable Senate is another piece of legislation that was drafted by the previous administration. This afternoon we heard the hon. Minister of Planning and Development highlighting the difficulties that are being faced by the Institute of Marine Affairs and it was in recognition of these difficulties that the former administration had drafted this Bill. As a consequence, we, on this side, have absolutely no difficulty in supporting this Bill.

I thank you.

Sen. Prof. John Spence: Mr. President, I want to endorse and agree with all that Sen. Prof. Julian Kenny has said. I think one ought to, at least, note that the matter goes deeper than that. Indeed, the Institute of Marine Affairs is probably being forced into this position by a policy with respect to research institutes in general, including Cariri and the like. We have tended to follow what was, perhaps, a trend which started in the United Kingdom and some other developed countries that Government should withdraw its funding from these research institutes or, at least, reduce its funding, and that many of these institutions should earn their own keep. I think this is really the problem that has led the Institute of Marine Affairs to look towards earning its own keep by venturing into the commercial world.

I think addressing the IMA itself would not really deal with the problem. What we need to do is address science and technology policy and research and development policy, particularly with respect to Government's funding. Many of these policies from which we follow developed countries are not necessarily appropriate to our own circumstances and I do not think at our stage of development it is appropriate that we should force or have a policy which pushes these research institutes into the direction of earning their own keep. As I mentioned in responding to the budget debate, I was sorry to see that there was no mention of a science and technology policy or anything to do with science and technology in the budget presentation. I hope that we will very shortly have the opportunity to debate a science and technology policy and a research and development policy because I think they are critical.

Sometimes it really amazes me how much we talk about going into the 21st century and we do not seem to understand what that means. Recently, I was in Barbados listening to the Minister of Education presenting a White Paper on education, and in the course of that presentation she said, "the intention in Barbados is that in each primary school there will be one computer for every four

pupils, and in secondary schools there would be one for every ten." In Trinidad we have not even thought about computerizing our schools. We may have thought about it but we certainly have not done anything about it. Mr. President, I certainly hope that we will have some opportunity to discuss science and technology policy in order to address the real problems that an institute such as the IMA would have in sourcing its funding.

Thank you, Mr. President.

Sen. Rev. Daniel Teelucksingh: Mr. President, I rise to support the Bill to amend the Institute of Marine Affairs Act, but I do so with the expectation that it will facilitate and enhance the efficiency of the institute. The question one may ask is: With the passing of this legislation, how much more effective will be the Institute of Marine Affairs? I think that was almost implied in Prof. Kenny's presentation; it is so very important. What is the purpose of this time we are spending in the Senate today? Is it only to allow the institute to import equipment, materials and supplies tax free?

Mr. President, the scope of operations of the institute includes research, as we have heard, general study, the surveillance of our coastline, marine resources, swamps, rivers and marine life in general. For several years the institute has been one of our most important environmental agencies, and with heavy industrialization of particularly coastal areas in Trinidad and Tobago and also projected tourism, much more will be required of the institute. Therefore, I believe that the Institute of Marine Affairs should be empowered even more than envisaged in the Bill before us.

I know somebody is going to get up immediately and talk about the new super Environmental Management Authority. I have two concerns which have to do with reactions concerning an oil spill in South Trinidad which affected King's Wharf and other parts of the Gulf. Firstly, all of us who have been following this would have noticed that the oil spill was investigated by the Institute of Marine Affairs. This is a very limited agency as we have heard. The media reported that the IMA sent out a vessel to investigate. This is most interesting for an agency which has the limited authority of research and possibly has advisory responsibilities to send out a vessel to investigate and to disperse the oil slick.

2.00 p.m

Not a word about the Environmental Management Authority, the brand new super authority that is all powerful and that is supposed to be in charge of

environmental matters in our country. Not a word! But with limited resources, we expect the institute to do so much.

Sen. John: The whole country was aware of a statement made by the EMA to the extent that they had discussions with the relevant authorities and the oil companies about that oil spill, so I do not think it is quite correct to say, “not a word.” I saw an official statement in the media.

Sen. Rev. D. Teelucksingh: Thanks for the correction. The point I am making is that as far as the institute is concerned, their powers are so limited. I am concerned about that and Prof. Julian Kenny mentioned this, and we all know it. I would have expected that the same EMA—I know Sen. John is on the EMA—would have had the authority and the power to deal with this. As I was saying, I have not seen, and I am subject to correction. I would like to be informed, and I would love to know that our Environmental Management Authority is using its authority. But we are talking about the small committee, or the institute itself with limited powers and authority and resources getting involved so much. I ask the hon. Minister: who pays for this added responsibility? Is it the oil companies, the industrial giants who are based, centred and located on our coastlines, or the Government? I quote from a report in the *Trinidad Guardian* of January 29, 1996, which says:

“A Petrotrin source called the Guardian saying that they were aware of the minor spills from oil companies operating in the South West district. He said that usually oil spills from these companies are dispersed out in the sea, but because of the strong westerly winds blowing in an eastwards direction the oil is coming towards the shore.”

This is a very serious state of affairs. I would like to hear from the Environmental Management Authority about that problem which has been continuing for the longest while. What are the recommendations from the institute concerning their findings on this matter? So far I have not heard of any. It seems as though there have been constant emissions in the gulf and someone has to look into this.

Mr. President, already some of our coastal areas are destroyed and fast becoming marine deserts and, therefore, I urge the new Government to insist that the industrial sector should be socially responsible, and that is important in any kind of agreement with those who are engaged in working our various industrial estates along the coastlines. In this instance, I particularly have in mind the operations at the Point Lisas industrial estate and those in the gas and oil sector in

the coastal areas. A small country like ours cannot accept the norm at any time, that progress means environmental destruction.

My second concern is whether the Institute of Marine Affairs, or the Environmental Management Authority has any recommendations or proposals to assist the fishermen, most of whom are self-employed, who lost thousands of dollars because of damage to their boats and nets due to that oil spill investigated by the institute. Are there fines for pollution? Can affected fishermen be compensated by those billion-dollar operations that are responsible for damages? Those are questions that I would like someone to answer. How much do offenders of our environmental laws contribute to the cleaning of beaches and the shoreline?

In today's press there is another report of the yachts in Charlotteville, Tobago and I will quote from that report that "These ships deposit massive quantities of waste and oil into the Bay..." Who cares whether the reefs in Trinidad and Tobago are destroyed, or if there is a destruction of the fish population?

I close by saying that the time has come for us to revisit the antiquated 1951 Act. I do not have a habit of looking at the laws of Trinidad and Tobago, but I did this last night and I noticed that there is such an Act—The Oil Pollution and Territorial Waters Act, 1951. I have also noticed that there are some fines listed there for that kind of pollution in Tobago and Chaguaramas and those fines—possibly fixed in 1951 when there were not this kind of extensive industrialization and tourism—are so small they cannot even replace a damaged fishing net. I want to advise the hon. Minister that we should look into those laws, get the Institute of Marine Affairs and the Environmental Management Authority going. Let them advise us.

I most respectfully suggest to the hon. Minister that we need the updating of all these environmental laws to enforce the existing legislation which we have. Instead of a two-minute presentation of one little clause concerning the provisions for the operations of the institute, I would have liked to see more time spent on the empowering of the Institute of Marine Affairs to be more than mere advisors when we have a very critical environmental problem before us.

Sen. Prof. Kenneth Ramchand: Mr. President, I will be very brief. I want to support the proposed amendment and join my senatorial colleagues in wishing for greater research activity and more aggressive action by the IMA in practical matters. There is one especially in which I am interested today.

When I go fishing, I make many excuses for not catching fish like: “the tide is not right”; “the moon is not good”; “I mashed a frog on the way down”; or “the bait is not fresh”; and so forth. I notice that the fishermen have different excuses. They always say that the trawlers catch all the fish, even the small ones.

Mr. President, I would like to see the IMA empowered to take an active involvement in alerting Government and people of the need to zone trawlers and regulate the mesh size of the nets; I would like them to take a leading role in advising fishermen and the public about the need to throw back small fish when they are caught.

2.10 p.m.

I do not think people will do this voluntarily but I believe the Institute of Marine Affairs should be empowered to make statements about the necessity to do this and to help Government to frame regulations for fishermen about the size of fish they can keep.

I know that the Institute of Marine Affairs has much to do and it has done much, but I would like to see it involved in a leading way in the preservation of the fishing industry. I express this wish as I give my support to the amendment.

Thank you.

The Minister of Planning and Development (Hon. Trevor Sudama): Mr. President, first of all, let me thank the hon. Senators for the concerns expressed.

Let me also say at the outset that we are in the process of reviewing the various operations of Government; in fact, we are in the process of a reorganization of Government’s functions and responsibilities, having been in office only two and a half months.

We recognize and accept the concerns expressed. I take Sen. Prof. Kenny’s concern that not sufficient work of a research nature is done by the Institute of Marine Affairs and it seems to be more involved in commercial activities. I would only respond by saying that in a situation of constrained funding the question of research is a judgmental issue; of course, it has to be reviewed and so forth.

Today more and more the onus is on these institutions to do relevant research as indeed it is the onus of the institutions of the university. The question of relevant research has to do both with the capacity of the institution and taking into account broader governmental policies so that there is always a balance that needs

to be struck as to how much research should be done and in what sphere we would want to take this research.

As was mentioned, there is need, in light of constrained funding, for these institutions to go out there and try to earn money on their own to support their activities. The danger, of course, is conflict of interest arising out of these activities and this is something that we appreciate and would have to look into.

Certainly, the work of the Institute of Marine Affairs has to be reviewed, and I think the Professor was talking about 1994. Well, obviously, this administration cannot be held responsible for what went on in 1994, but we understand the concerns and we feel that this matter has to be looked into. There is need for a rigorous review of the activities undertaken by this critical institution and on the basis of that some new directions would be given as to how it should proceed.

The issue of the conservation of the environment and the role of the Institute of Marine Affairs is another matter to which we would have to give some serious attention because the Institute of Marine Affairs has its research task and functions outlined for it. Its regulatory functions are somewhat limited and not very well defined. The role of the Environmental Management Authority in all of this has to be given greater importance.

May I report that although the Environmental Management Authority was established and its board members were appointed in June 1995, that authority is not fully functional. They have not been able to staff all the positions in the authority. They are embarking at this time on meeting the various firms and the major polluters, if I may put it in this term, and speaking to them, having an appreciation of their own position and then on the basis of that drawing up the regulations and so forth which will guide their activities and which will be publicized as a guide to the public generally.

Work is going on. We are in the process of establishing an environmental management plan for the whole country as well as instituting an environmental management information system which will provide the baseline data which can be accessed by anyone concerned with the environment and the development activity which comes before that.

There is need to speed up this activity and we accept that but I assure hon. Senators that this matter of the environment is not a simple one. The appreciation of environmental integrity has to do with the consciousness of a people, their sensitivity to environmental issues. One starts there. There is much publicity work

that needs to be done by the Environmental Management Authority to sensitize people to make them aware of the environmental degradation and their own actions in allowing this degradation to go on.

While rules and regulations may be established, if there is not that initial base of awareness in the population, the rules and regulations by themselves will not carry one very far. Obviously, guidelines and standards must be set and there must be sanctions, but hand in hand with these, there must be public awareness of the integrity of the environment.

As I said, these matters are not going to be realized overnight but we acknowledge the concerns.

The question of the depletion of our fish resources is another area which we have to look at and indeed in collaboration, not only with our people but there are others who can assist in this whole larger problem of dealing with the preservation of our fish resources.

Mr. President, I acknowledge the support of Senators on the other side for this item of legislation before us. I think they are fully aware of the need for it and the larger issue raised in the contribution of hon. Senators will be dealt with on a more precise basis from time to time as we review, reorganize and set our own policies.

With these few words, I beg to move.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole Senate.

2.20 p.m.

Senate in Committee.

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

Senate resumed.

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

Rent Restriction Act, 1991

Tuesday, February 13, 1996

**RENT RESTRICTION (RE-ENACTMENT AND VALIDATION) ACT, 1991
(Extension of)**

The Minister of Housing and Settlements (Hon. John Humphrey): Mr. President, I beg to move the following Motion that stands in my name:

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

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

And Whereas by resolution passed in the House of Representatives on February 12, 1993 and in the Senate on February 16, 1993, the said Act was continued in force for a further period of three years until February 23, 1996;

And Whereas the said Act will expire on February 23, 1996 and it is expedient that it be continued in force for a further period of three years commencing February 24, 1996:

Be It Resolved that the Rent Restriction Act, Chap. 59:50, shall continue in force for a period of three years commencing February 24, 1996.

Mr. President, the Rent Restriction Act, provides for the right to restrict the rents of certain premises and the right to recover possession of such premises. The Act recognizes, therefore, the rights of both landlords and tenants.

The origin of rent restriction legislation dates back to the Second World War when stringent controls were necessary to maintain social stability and when resources were directed generally towards the war effort. One could, quite legitimately, ask what is the relevance of such legislation in 1996, fifty years later. The fact is, Mr. President, that with the critical shortage of housing units that plagues us in Trinidad and Tobago, we are not yet in a position to remove all restrictions.

I have recently received telephone calls from elderly citizens asking not to repeal this Act. I have been advised that, because of low rentals received by landlords, no improvements have been made to the premises, and whatever

Rent Restriction Act, 1991

Tuesday, February 13, 1996

improvements have been made, Mr. President, have been made by tenants and, in some cases, quite extensive improvements. The tenants have upgraded premises over many years at their own expense. To remove the restrictions altogether would result in those tenants losing their investment because landlords are not going to acknowledge that the values have been improved by their tenant.

In addition, very many poor people are protected by the Rent Restriction Act and would be made homeless if the Act is repealed. The state would not be in a position to accommodate those who are made homeless and, I dare say, the vagrant population would increase quite dramatically as a result. The former Government recognized this and, while wishing not to continue the Act beyond February 1996, conceded that in the circumstances there was little choice. I must say that this Government would also like to remove restrictions in this period of our economic life. The principle of liberalization is the paramount principle, and we all recognized that more freedom in the economy would, in fact, be advantageous, but in this particular case more freedom would be disastrous for certain people, and that cannot be our mission.

Within the Rent Restriction Act is the establishment of rent assessment boards. These boards determine disputes between landlords and tenants and they fix the rent. Mr. President, any aggrieved landlord or tenant could refer his grievance to the board and, hopefully, arrive at some satisfactory resolution. But these boards also administer relevant provisions of the Land Tenant Security of Tenure Act, Chap. 59:54 and Orders made under the provisions of that Act. If we therefore repeal this Act the board will no longer exist and would therefore not be able to perform its duties under the other Act.

The Rent Restriction Act was amended in 1994 and the following Order was included, and I quote:

“As from July 31, 1994 all housing units, erection of which was completed after that date, together with any land appurtenant thereto, and to be occupied therewith, are to be excluded under the operations of the Act.”

Mr. President, by excluding all housing units built after July 31, 1994 from the provisions of the Rent Restriction Act there is no disincentive to constructing rental units. However, the rental units that have been constructed are rental units for just one segment of the market, and that is the very top segment. The industry is not providing low-cost rental units. In fact, there is really, today, no such thing as a low-cost house.

Rent Restriction Act, 1991
[HON. J. HUMPHREY]

Tuesday, February 13, 1996

The National Housing Authority has a long waiting list for rental units, but cannot supply these units. The authority just does not have the money to build such units.

2.30 p.m.

Let me give an example of a case where one single contractor built a high-rise rentable complex and the unit cost in that complex turned out to be \$190,000 for a two-bedroom apartment. That very contractor, in solving a problem of resettling certain squatters, was able to provide the same spatial requirement—two bedrooms, exactly the same space, flat, on grade—for \$50,000. It just shows that money is more effectively spent when construction is horizontal instead of vertical.

The Ministry of Housing and Settlements, recognizing the high cost of high density rental units, is adopting a different strategy for delivery of housing accommodation for the citizens of Trinidad and Tobago. We have concluded that the delivery of land is a more realistic approach. Our aim is to make land available within affordable reach to all our citizens. We are attempting to facilitate all the citizens by assisting the very poor in the provision of starter units.

I met recently with a number of architects, and jointly with the chairman of the National Housing Authority, we invited those architects to do something that they had never done in their professional practice before, and that is, to use their skill and their talent in designing houses for the poor. I invited the architects to design a house that could grow in increments over time, starting with a very humble core unit that was within the affordable reach of poor families and over time as their means improved, they could add to those units and ultimately reach their dream house.

The architects are drawing detailed plans and we are going to submit those plans for pre-approval. We are going to have between 20 and 30 different options to offer our poor customers. In selecting one of those plans, they will merely have to pay the cost of reproducing it, which will be a very low cost indeed. We are going to put on display at the National Housing Authority at the entrance on the ground floor—which up till now has not been utilized for anything—large enough scale models that even the simplest person will understand what the house would look like. He will see it as it starts and he will see how it can grow over time into a dream house. We will then give colour renderings of the completed house for the poor people to hang in their homes so that they can keep their

dreams stimulated and they will be able to see what they will get eventually if they make the required sacrifices.

By early April we expect to have the first results of that exercise. I want to say that the architects came out in response to the invitation and they seemed quite delighted at the opportunity that has been given to them by this Government to use their talent and their expert skills in assisting poor people to acquire good homes.

In addition to that, I have had a very lengthy and detailed meeting with my key advisers, with representatives of the Inter-American Development Bank, and I am happy to say that the representatives of the bank have endorsed this approach fully and have indicated that they would be prepared to lend the Government of Trinidad and Tobago a large sum of money to enable the Government to assist poor people in getting started.

I have also put in train an idea which the previous government laughed at in the past, but which will enable poor people to have, for the first time in their lives, modern sanitation. It is something that one of the architects had designed some 10 years ago we are now going to look at the feasibility of mass producing in a factory environment. It is a simple structure that enables a core to be produced in a factory at low cost that would contain a septic tank, a water tank above it and it will be connected with structures that will have built-in the plumbing and the electrical that is required to start a bathroom and a kitchen. It means that poor people, instead of having to dig a pit latrine for disposal of their waste, will be able to have flush toilets for the very first time.

The hope is that more of our people who are presently in rented accommodation provided by the state for which the state gets no return whatsoever—in fact, it costs a fortune every year to maintain those buildings and the state cannot extract rents from the tenants because many of them are unemployed—can avail themselves of a piece of land, 5,000 square feet and a starter house, and then use their own efforts and wherever the state can assist with the URP or the Self-Help Commission Programme, or with international programmes, aimed particularly at sheltering the poor, over time these families will have adequate shelter.

We have discovered that it is not so difficult to deliver land at an affordable price to even the very poor, and when the state and private sector together cannot do it, we find that the people do it for themselves. The squatting population of

Rent Restriction Act, 1991
[HON. J. HUMPHREY]

Tuesday, February 13, 1996

this country has expanded by leaps and bounds. I do not see this as a great problem. I have always maintained that the squatters, most of whom are very poor, have pointed the way in how we can solve the shelter problem for poor people. What they have done is to demonstrate that if they get land and they do not have to apply their resources to acquiring the land, the little resources that they can mobilize for themselves can provide shelter for their families. However, they have helped themselves to land in areas that it would not be desirable to have permanent settlement in many cases. But in some cases they can be regularized because the areas that have been selected can, in fact, accommodate houses.

We are putting in place legislation, as we had promised, to enable the regularizing of all those squatters in those areas which are acceptable for housing. We are going to develop land in a basic way—not to put very expensive infrastructure—in areas that are properly planned by the planners and by the professionals, for relocating those squatters who are occupying land use that is more imperative for national development. While we are doing this, what we foresee is that those who come on to the market and who cannot afford to buy shelter that is delivered by the market, will be able to avail themselves of this basic land, basic infrastructure, very low cost, and with the help of the state will get started.

Until Trinidad and Tobago can boast that we have provided adequate shelter for all our citizens, we are going to have to protect those who cannot protect themselves. One has to admit that not everyone who is in rent restricted accommodation is in that position, but many of them are, and that is why I want to move that the Rent Restriction Act, Chap. 59:50 shall continue in force for a period of three years commencing February 24, 1996.

I beg to move.

Question proposed.

2.40 p.m.

Sen. Mahadeo Jagmohan: Mr. President, I am pleased to have the opportunity to speak on such an important matter that has come before this Senate today. Before I proceed any further, I have a simple question for the hon. Minister. If he answers this question, perhaps the job of many of us would be much easier. He referred to a meeting he had with the architects who showed their willingness to work and their excitement about the project he has identified. Is it that this work would be done on a voluntary basis, or for a fee?

Mr. President, we must not allow matters to come before the Senate without adequate and appropriate explanations. Along with this Motion there should have been several facts with respect to its intent. We did have a few facts. I admit, if the Motion is meant to regulate the relationship between landlords, or owners of houses, and tenants or, as I am tempted to believe, to provide a measure of control in terms of what poor people pay to occupy living quarters—rooms or apartments—for a modest and decent life, we, on this side of this Senate, do not have any objection to supporting this Motion.

But when we take into account that the last occasion on which a similar motion was brought to this Senate by the best government this country has ever had, several persons who were in opposition in the other place, as well as the Senate, including the hon. Minister, went to town on it by elaborating irrelevant issues during the debate in both Houses of Parliament, which is recorded very accurately in the *Hansard*.

Mr. President, I state very clearly that we wish to hear about the rationale for bringing this Motion. We know that this coalition Government would be embarrassed if it attempts to give explanations since many of its Members, whilst in opposition, opposed everything with respect to providing housing for the poor and needy of this country.

This brings me to the crux of the matter, that is, there is a considerable demand for housing, particularly under rental arrangement. Therefore, I submit that the Motion before the Senate is one which should not be treated lightly because the rank and file need houses. The objective of the last government was, among other arrangements, to build housing units for rental to deserving citizens. That was not by chance, it was carefully planned by the last government.

With your permission, Mr. President, I would like to quote from the manifesto of the People's National Movement which was presented during the course of the last general election campaign. On page 33, under the caption "Housing" it states:

"The PNM Government will continue its comprehensive approach to housing through the implementation of a range of policy instruments, which include:

- Provision of fully serviced lots
- Construction of apartments

Rent Restriction Act, 1991
[SEN. M. JAGMOHAN]

Tuesday, February 13, 1996

- Provision of adequate community facilities in public housing developments
- Partnership with the private sector.

Specifically, the PNM Government will embark on the following:

- A housing construction programme yielding 5,000 units annually over a 10-year period. Programme strategy would rely heavily on joint venture arrangements with the private sector to produce a range of affordable housing solutions, from high density housing units to single family semi-detached units. This programme will be complemented by more traditional approaches inclusive of serviced lot provision, financed under the Public Sector Investment Programme.
- A programme for the regularization of squatters at the rate of approximately 2,500 per year, with 30-year renewable leases, a premium of 25 cents per square foot and \$1.00 annual rent. In instances where squatters had agreed to initial upgrading of infrastructure, cost recovery will be effected via repayment arrangements spread over the life of the lease.
- In addition to this, a 60 percent subsidy on the infrastructure cost will be granted by the Government. In this regard, facilitating legislation, the Regularization of Tenure (State Lands) Act, 1995 will be introduced to replace Act. No. 20 of 1986.

The PNM Government will continue the process of restructuring the National Housing Authority to perform property management functions."

Mr. President, I have quoted from this very important document in order to reflect what plans the People's National Movement government had for this country; plans that are much more feasible than that which is referred to by the hon. Minister. Some of the plans referred to by the hon. Minister, I suppose, are dream plans; if they become a reality, so be it.

I again ask: What is the Government's policy on housing? Is it the Sou Sou Land concept? If so, then the government of 1986 failed the country and the poor people very miserably, in that not a single house was built and the Minister of Housing and Settlements of this Government was a Cabinet Minister of the government of 1986—1991, though for only part of the time.

We know that the hon. Minister must still be scared of the person who fired him from that government, because the then Minister of Housing and Settlements had more power than the present hon. Minister of Housing and Settlements. It is clear for all to see that on the last occasion the incumbent Prime Minister was out of the country and the same gentleman was acting Prime Minister. I wonder if this did not send chills up the spine of the hon. Minister of Housing and Settlements. I honestly believe he was overlooked to act as Prime Minister because in the hierarchical structure of the UNC that hon. Minister is next in line. Notwithstanding other arrangements—

Mr. President: Hon. Senator, please stick to the issue before the Senate. Do not digress to that extent.

Sen. M. Jagmohan: Mr. President, I shall be pleased to abide by your directions and ruling.

Mr. President, we are stating that the Government is quite right in bringing this Motion to the Senate for approval to validate the Rent Restriction (Re-enactment and Validation) Act, but why are they not seeing that they are causing the Minister to somersault unintentionally? He is now pursuing part of the PNM's policies.

Mr. President, I would not burden the honourable Senate by reading extensively, but with your permission, I want merely to quote sections of pages 8 and 9 of the Task Force Report on Housing and Settlement, which I commend to this honourable Senate, as it would give a clear understanding of how the housing policy would be better served and would bring greater benefits to this country.

2.50 p.m.

I am also sympathetic to the Minister of Housing and Settlements. His Government has taken away large sums of money from the housing sector, thus embarrassing him in not being able to do his job properly, notwithstanding he has mentioned many grand proposals. How will they be implemented without the necessary finance? That was my reason for asking a question earlier.

The budgetary allocation has been reduced compared to the allocations previously presented for housing by the last administration. The Minister took a clue from the last PNM Government and brought the Rent Restriction Act for re-enactment and validation. But, even so, if the UNC/NAR coalition Government does not now pursue the housing policy recommended by the task

Rent Restriction Act, 1991
[SEN. M. JAGMOHAN]

Tuesday, February 13, 1996

force of 1992, then it would mean that citizens in need of homes will become so frustrated that they may resort to involuntary breakup of their families, that is, each partner may return to live with his parents. It happened previously. Is it a plan to hoodwink the public by merely seeking to validate the Rent Restriction Act once more?

There is a reasonably good effort being made in all sectors of society to give women their just dues, and quite rightly so. Women suffer much, much more than their male counterparts with respect to poor housing facilities, or none at all. The woman needs a greater measure of dignity in the surroundings in which the family lives. Women must be taken into serious account. If they suffer, the whole society suffers immensely. Hence, I am appalled that there is no indication by the Government as to their housing policy to go along with validating the Rent Restriction Act for a short period. The last Government also moved in that direction but it had a master plan with which it succeeded immensely in providing houses for persons in need of homes.

Mr. President, I am confident that the present Opposition will be the next Government and when it gets there, it will again continue from where, unfortunately, it was unable to continue in the housing sector. [*Interruption*] I am not hearing too well, Sir.

I finally appeal to the hon. Minister of Housing and Settlements that as soon as it is possible for him to do so, his coalition Government should revisit their policy on housing so that the entire population will have greater hope for housing.

With further permission from you, Sir, I wish to quote from my own presentation of January 22, 1996, which states :

“Shelter is one of the basic needs of mankind the world over, and it is instructive to note that the only Government of this country which has contributed to the provision of homes to the homeless and lands to the landless is the People’s National Movement Government. No other administration attempted to build houses. This is a fact. Today, it has been observed that while a person may wish to share with one his food or other things, the same individual will not wish to share his home. It is said that your home is your castle and a most sacred place, hence my emphasis on the question of home ownership. Successive PNM Governments have recognized

this and, as such, 50,000 housing units were built during the period 1962–1986 throughout Trinidad and Tobago.”

Sen. Mark: Could the Senator say what was the cost of those 50,000 houses?

Sen. M. Jagmohan: The hon. Minister has spoken immensely on this measure and he himself has identified the sums of moneys allocated and spent. I have in my possession the debate on housing. It will do this Senate little good. It will be wasting the time of important people; intellectuals and other persons. If that is an Opposition strategy on which the hon. Minister wants to embark, I wish to be excused. I do not wish to embark on that kind of strategy. I continue to quote:

“Global trends reveal a problem of inadequate housing in both the developed and developing countries. It must be noted that some 700 million people live in absolute poverty in developing countries, hence, house ownership is also their problem. When the People’s National Movement Government jubilantly returned to office in 1991, the most significant development was an unprecedented growth in squatting.”

I am glad the hon. Minister referred to squatting.

During the five years of the NAR administration, the squatting population grew from 8,000 squatting families to some 50,000 squatting families. This lawlessness was encouraged by that minister of the NAR administration. This proliferation in squatting, with no regard whatsoever for regulatory agencies, has resulted in many social ills. Persons are now living on useful river banks, picturesque hillsides, important road reserves and land below sea level, flood plains and other unsuitable, unapproved sites posing a threat of major disasters, tempting nature as it were, in some instances.

Mr. President, with your permission, I refer to the sitting of the Senate on February 16, 1993 when a most distinguished Minister of Housing and Settlements presented the same Rent Restriction Act as the hon. Minister did moments ago. He had several things to say. I promise that I will not attempt to quote the entire presentation of the former Minister.

I am referring to the period of his presentation between 1.40—1.50 p.m. Part of his presentation reads thus, and I quote:

Rent Restriction Act, 1991
[SEN. M. JAGMOHAN]

Tuesday, February 13, 1996

“In moving this Motion, it is imperative that I point out the fact that this Act was passed by Parliament to restrict rents of certain premises and the rights to recover possession of such premises.”

Perhaps, there is a similarity in some of the points made by the hon. Minister.

3.00 p.m.

I continue.

“This Act, among other things, deals with the Rent Assessment Board, standard rent pending determination by the board; applications to the board to determine rents; determination of standard rent by the board; maximum rent permitted and permitted increase in rents.”

Some of these facts were not mentioned by the hon. Minister in his presentation, but they are very salient points to which the hon. Minister should refer. I quote further:

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

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

I am quoting from the contribution of the past Minister of Housing and Settlements, the hon. Dr. V. Lasse, to indicate that the mechanism proposed then was a simpler one against the background of a well-defined housing policy. I see some difficulty in coming to grips with executing the programme enunciated by the hon. Minister. His contribution states:

“Mr. President, it goes without saying that until the need for shelter is satisfied, or appropriate arrangements are put in place to deal effectively and efficiently with the question of rental arrangements—and pending the review of the Rent Restriction Act Chap. 59:50, which Cabinet, on

December 10, 1992 had agreed should be undertaken—the prudent and reasonable approach would be, I submit, to extend the life of the Rent Restriction Act Chap. 59:50 for a period of three years, commencing on February 24, 1993.

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

In essence, what then did the hon. Minister say? The Act had to be re-enacted as it is being done today, but he was specific. At that time machinery was being put in place to satisfy the housing demands of the poor citizens. Until and unless the Government presents a clear-cut policy, at some future sitting of Parliament, the hon. Minister might be pressured to bring a proposal with respect to housing and it will not be against the background of any definite housing proposal.

On behalf of this side of the House, I say that we are giving the Minister support in extending the life of the Act. The Minister will be moving in the right direction if he puts a housing policy in place. It does not have to be identical to the policy of the last administration. Many people now understand that things can only be done by a government against a policy framework.

Thank you.

Sen. Prof. Kenneth Ramchand: Mr. President, I have a brief comment on the Motion before the House. I am aware that there are housing shortages and fewer and fewer people can purchase houses as soon as they would like in their working lives. More and more people may be forced to become tenants. Even if this were not so, the need to ensure that tenants should be protected from unscrupulous landlords would be great. The need to eliminate the situation or find a solution to the problem is even greater. I commend the Government on its envisaging a solution to these problems as residing in the provision of land and assistance to citizens to build their own houses.

My concern is with another problem. I am shocked when I hear how much the Government pays out to landlords in rental for office space and accommodation for government officers. I am not sure that I agree that the Government should provide housing instead of granting a housing allowance where appropriate to certain officers. I am not sure that I agree that full housing should be provided.

I think that some rigorous system should be devised to prevent people from milking the Government for rent just because they are the Government. Some

Rent Restriction Act, 1991
[SEN. PROF. K. RAMCHAND]

Tuesday, February 13, 1996

system should be devised to ensure that no patronage or insider renting exists. On a related matter since I am on this track, I am amazed to read that Government is selling houses in areas such as Federation Park when they should be repaired for rental to officers on special terms. Who buys these houses? Who benefits from these deals?

I feel confident that there is enough idealism in this Government over housing and rentals to draw some of these scandalous matters to their attention and hopefully to the attention of the public.

Thank you.

Sen. Philip Marshall: Mr. President, in supporting the Minister's proposal, my very short contribution is geared towards the protection of both the landlord and the tenant. As I understand it, the Act, using 1978 as a base year which relates to rental (unfurnished) of \$1,000 per month and (furnished) of \$1,500 per month—I do not know if these are up-to-date figures—could have been increased based on the recommendation of the Minister of Finance. The point is that at the level of inflation a rental of \$1,000 per month in 1978 in real terms today is equivalent to \$300 or \$400. If the landlord is unable to maintain the property adequately, there may be a situation where the Rent Assessment Board focusing probably on the basic regulations of rent on housing, may overlook very important safety measures in the condition of the quality of the apartment, especially where a tenant may be an elderly person.

My suggestion is that in any physical inventory of a property for the purpose of an assessment, the Rent Assessment Board should ensure that there are adequate safety standards, in terms of fire extinguishers or the condition of electrical wiring or any other facility (especially where the dwelling house or tenement may be in close physical proximity to other innocent tenants) which will not endanger both the tenants and possibly the landlord, should any unexpected accidents occur due to lack of proper maintenance of the dwelling.

Thank you.

3.10 p.m.

Sen. Dr. Eric St. Cyr: Mr. President, I am very happy to hear the Minister say that this extension is intended to be a temporary measure because we do know that there are problems with price controls, rent restrictions and so forth.

There will always be disadvantaged persons who really cannot afford to pay the going market rent for their shelter, and that responsibility should be the Government's, not to be shifted to the landlord, as this measure can do.

I am supporting this Bill on the basis that this is a temporary measure, probably three to six more years, when we should get the problem of shelter in the country solved. This is why I want to make a few remarks on the issue of housing policy.

My understanding is that the housing policy of the long-serving government in this land has really not solved the housing problem. The number of houses built has been relatively few; even if we concede 50,000 in 24 years, that is about 2,000 per year. The more difficult issue is the very high cost at which these units were built, putting them far outside the reach of most of the population. The consequence of that strategy is that a few people—and we must concede it—got decent level housing, and the vast majority got none.

From my understanding, the alternative approach which was articulated in 1986 and the years following, and which I gleaned from the hon. Minister's presentation is being revived—and I think perhaps it is the better way to go—is to allow as many people as can help themselves to get on with the business of providing incremental housing so that they can all start with something and by the modular method, perhaps over their lifetime, end up with the dream houses for which they aim.

The smallest built house—two bedrooms—out in Sangre Grande or some place reasonably close like that, would cost perhaps \$100,000, and the qualifying income for the mortgage is in the order of \$4,000 per month. I am sure that the lower one-third of the population cannot qualify, so the consequence of that—and we have seen the evidence—will be an increasing number of people who will revert to squatting.

I am fully supportive of an alternative approach where we seek to make land—serviced lots if you want to call them that—available; a core house, though even that will come at a price that would stretch many a pocket. However, it is certainly a direction in which to go.

My understanding is that the Inter-American Development Bank has facilities not only for Trinidad but for the Latin American countries, and a broad strategic approach towards solving the shelter problem and that is where we should go. We should probably stop speaking about housing as well, because when we think of a

Rent Restriction Act, 1991
[SEN. DR. E. ST. CYR]

Tuesday, February 13, 1996

house we think of a finished unit into which a person can move straightaway. We should instead think of shelter with surrounding economic activities. In other words, it should not just be a place to sleep and the person goes elsewhere to look for work, but a community where the person lives and generates an income from activities associated with that.

It is a grassroots developmental approach. It probably will not give us, from the beginning, communities that look like Valsayn, but let us face it, we cannot afford those levels for everyone at this time. We would never attain anything by attempting to begin at the point where we are seeking to end. It is always the proper strategy that we start where we are and work towards where we are going.

In summary, I support the measure, noting in particular that there are difficulties with rent restriction which we all know, both from the side of the tenant and from the side of the landlord; and noting also the problems raised by Sen. Marshall—the possibility of improper maintenance and those risks. So this is a temporary measure, but a broad-based macro, sensible approach to solving the settlement problems, using techniques and concepts which Caribbean peoples know, understand and, over the years, have practised, perhaps moreso in places like Barbados, Grenada, Jamaica and Tobago than in Trinidad. Certainly these are well within the Caribbean experience. I think that the Minister should be encouraged to move in that direction and we should give him critical support over a period.

It will be important to note that such an approach will not see a solution in three or five years time. It will take 10 or more years before we see the problem being addressed in a meaningful way.

I thank you.

3.20 p.m.

Sen. Penelope Beckles: Mr. President, I rise to make a few brief comments on this Motion before this honourable Senate. From all those who have spoken before me, we have all recognized that it is absolutely necessary to support this Motion, if only because of the consequences and implications that could result if one were not to support this Motion. I would just like to share a couple concerns with the Minister as they relate to matters affecting rent restriction.

Firstly, I want to make a brief comment on the present Government's position as outlined by the Minister of Finance in his budget statement. At page 14, he stated that:

“Government will expand and strengthen the housing sector. We will fast track the National Housing Authority \$30 million construction programme; regularize the tenure of squatters and upgrade the basic infrastructure of squatter settlements; and begin the Ministry of Housing and Settlements \$214 million accelerated housing construction programme.”

Mr. President, I read those lines on the whole issue of housing as stated by the Minister of Finance in his budget presentation; I listened to all the comments by the respective speakers and I recognize how important this issue of housing is to Trinidad and Tobago. The Minister of Housing in his contribution on February 5, 1993 said, and I quote:

“What I would like to do on this occasion, Madam Speaker, is to try to encourage this debate to take the direction of seeking to find a solution to the shortage of shelter. I believe that it is relevant because rent restriction is based on shortage and we can avoid having to restrict rent.”

Mr. President, I clearly share that view and I hoped that I would have heard a little more from the Minister about the whole issue about the shortage of shelter. I think we all want to accept that to a large extent it is a question of demand and supply.

Further to that, it was very interesting that while doing a bit of research in this area, I looked at the contribution of Sen. Wade Mark, who, in his contribution, gave extensive statistics and compared the increase in the population of Trinidad and Tobago between the time that the Act was initially passed, and the period in 1993 when the Senate was actually debating that Act. He also looked at the whole issue of poverty and crime as they relate to rent restriction and that is one of the areas I think we ought not to separate. The whole issue of poverty, crime, rent restriction and shelter are all issues that are very much intermingled and if we address them collectively, it might very well be that we may begin to find a solution with respect to shelter.

Having looked at Senators Wade Mark and Surendranath Capildeo's contributions as they relate to their response when this Motion was before the Senate, I am wondering whether or not any of their other colleagues share this

similar view, since this is a Motion the Government has brought before this Senate to do the same thing that we, on this side, did in 1993. He stated that:

“Mr. President, this motion is indicative of the total, complete and absolute bankruptcy of this Government to deal with the question of human habitation in this land. In fact, the motion is symptomatic of the ability of this Government to govern.”

He said that:

“the Act is archaic and it is pre-historic.”

He also said that:

“This continuation of the Rent Restriction Act has killed the housing industry in this country. It has destroyed it completely.”

I am not sure whether or not, at that time the honourable Senator was expounding his own views or those of the present Government and whether or not in bringing this Motion they will actually continue in that position or that they will take a totally different view. When we look at the Minister’s statement—

Mr. President: Sen. Beckles, would you please give the date of this quotation?

Sen. P. Beckles: Yes, Sir. February 16, 1993.

One of the critical areas that the Minister addressed was the problem of squatting. He did say in his presentation that squatting—as far as he was concerned—is not really a great problem. I beg to disagree on that particular issue. Certainly, not only in Third World countries, but I think all over the world, squatting is not just a situation where persons occupy land, the issue is that land is being occupied illegally and in some cases those pieces of land are owned and would have been purchased by persons after a considerable number of years. We have a problem of urban squatter regularization, which might often be very different from other persons who are living in other parts of the country who simply go into places where most of us might not want to go. But to say that it is not a great problem, then we should not really have found ourselves here discussing such an important piece of legislation.

I remember the contribution of Prof. Spence dealing with the whole issue of our forest, and the fact that many persons are now doing “slash and burn” cultivation and many other different things, and that is all part of housing and rent restriction; it is part of the whole issue of squatter regularization. I think that

when one is looking at a comprehensive policy of dealing with these issues then one has to bear all those different things in mind.

There is another concern which I have as it relates to housing. Whilst it might be quite easy to say that there are persons who have a dream house and if the Government gives them land and empower them and so forth, eventually they would probably be able to build that house, but in discussing this piece of legislation we should also look at things from a very equitable point of view. There are some of us who have no difficulty with squatting; there are some of us who have no difficulty with accepting a piece of land and going under the Sou Sou land concept; but then there are others who may very well prefer—and I would very much like to say that it is their right—to see a house being advertised in the newspapers and to purchase that house. Or there are those who may get married who may wish to purchase from other construction companies. It is a question sometimes of exercising all these different options which are all part of the whole issue of dealing with shelter. So that when we deal with the whole issue we do not only simply think that the most critical problem is that of squatter regularization or of renting.

I also recall the Minister indicating that he spoke to some elderly persons who called him and indicated to him the concerns they would have if there was not an extension to this Act. When one listens to all the contributions, one realizes that there are other issues that need to be addressed. In the Minister's contribution he acknowledged that. There are some landlords who would deliberately create a situation, allowing the property to become run-down because a tenant is paying little or no rent, hoping that the house would collapse in order to get rid of the tenant. Mr. President, I am saying that those are some of the issues we also have to look at.

3.30 p.m.

Mr. President, a few of my colleagues who may have practised before the Rent Restriction Board, for example, Sen. Dowlat and Sen. Moore-Miggins, would understand the difficulties experienced very often when one attends to those matters; the length of time that is taken before they visit premises; the length of time that is taken for adjournments; the length of time that matters actually take to be resolved, and the whole view of persons who own premises as well, with respect to the rents and the increases and the views of the tenants.

Rent Restriction Act, 1991
[SEN. DR. E. ST. CYR]

Tuesday, February 13, 1996

Mr. President, sometimes the legislation may appear to be simple, but for obvious purposes of necessity we have to look at things more comprehensively, because if we do not, all the other aspects that are important would not fall into place and would result in the whole industry collapsing.

There are also the other tenants who, very often, are not even aware that they are entering into properties that have already been registered. Therefore, we all need to look again at the whole issue of educating both the landlord and tenant in terms of the whole society's philosophy with respect to shelter, so that people do not feel taken advantage of. People need to be educated about their rights as they relate to this whole issue of the rent restriction legislation.

Mr. President, I, like most of my other colleagues, support this Motion in recognition of the fact that it is necessary to ensure that this situation continues and we do not have a collapse, but I do hope that whenever next the hon. Minister distinguishes this Senate with his presence, we would get from him a little more comprehensive information as to what the Government's policy is as it relates to shelter.

I thank you.

Sen. Dr. Eastlyn Mc Kenzie: Mr. President, I would just like to make a comment to the hon. Minister of Housing and Settlements as it relates to land for housing. In my contribution to the budget debate I mentioned the sort of controversy with the Town and Country Planning Division whenever there was land inherited from parents to be divided amongst siblings who wanted to construct a house. This is a real problem in Tobago where land is left to children from their parents and whenever they want to divide this land to build their houses, the Town and Country Planning Division categorizes the land as agricultural land. I believe that some sort of collaboration should be done between the Town and Country Planning Division and the agricultural division and probably the Settlements division to be able to say this is land that should be used for agriculture and not for housing, and so forth.

I am thinking of the social part of it, where, if my parents give me a piece of land to divide, I could give my brother or sister and he or she could build his or her house if he wants and not be told that I have to keep it there for agriculture and I do not intend to plant anything there at all. That is my contribution.

I thank you.

Sen. Nafeesa Mohammed: Mr. President, as I sat here this afternoon listening to the proceedings in this honourable Chamber, each time I look across at our dear hon. Minister of Housing and Settlements, I feel a great sense of sadness because this is a man who, for more than twenty years, has been struggling in this country for social justice. Very few people in this country have a mind as fertile and imaginative as our dear Minister of Housing and Settlements, and it is no wonder that the housing policy of this new coalition Government that we heard being enunciated here today, is so very interesting, and indeed very, very imaginative.

This afternoon we heard the hon. Minister mention that there was a meeting with some architects and the idea being formulated of having designs for starter houses, and indeed some details were given for improved toilet facilities for the poor as well. These ideas sound very good, but whilst the idea of the starter houses is good, why not supplement it with a very concrete policy with respect to the construction of houses as well, as we were doing under the PNM administration?

Mr. President, when the UNC was in Opposition, time and time again—and indeed, in the debates that took place in this very honourable Chamber in 1993—a very strong call was made by nearly all the Opposition Senators, for example, the hon. Senators Wade Mark, Carol Merritt and others, for a comprehensive policy to deal with housing. We all recognize that in our country, and indeed, in all societies, food, clothing and shelter are some of the basic necessities that any Government must pay attention to. These are matters of priority.

Mr. President, it is against this background that I would commend this Task Force Report on Housing and Settlements that was presented some time in 1992. When one looks at the membership of this task force, one would see some very distinguished and competent persons who were involved in the formulation of this document; very senior persons from, not only of the Ministry of Housing and Settlements, but there were people from the National Housing Authority and then from various finance companies. I would urge the hon. Minister to supplement his ideas with the report of this task force.

Indeed, if one were to look very briefly at the accomplishments of the former PNM government during the previous administration—and it is right here in the manifesto. My colleague, Sen. Jagmohan quoted from a certain page, but I would just like to refer to page 17 of this document. In a nutshell, some of the achievements are set out here, which states:

"In keeping with the PNM Manifesto of 1991, a comprehensive approach to housing has been initiated, as well as a concentrated effort to deal with the problem of squatting."

It goes on to deal with "Sites and Services" and "Squatter Regularization." The hon. Minister made mention of the squatting situation in the country. In the period 1987 to 1991 the NAR government did not build one single house. In fact, it was the Sou Sou Land concept that was prevailing at that time, and it was during that period that the squatting problem in this country grew to astronomical proportions. I think it grew from some 8,000 to 50,000 squatters during that period.

3.40 p.m.

Under the former PNM administration, infrastructural works had been completed at Bamboo Settlement No. 2; Maturita Triangle; Blitz Village, Pleasantville; Zone 8 Arima; and New City, Valencia. Over 1,200 families had benefited from development works that took place in those areas and a main element of the Squatter Regularization Programme was the payment of a premium based on raw land cost at 0.25 cents per square foot with partial cost recovery of infrastructural development. Overall, a subsidy of 40 per cent was provided.

Under the National Housing Authority, there were infrastructural works being undertaken in four sites, namely: Alexis Street in Morvant; Fairfield Estate, Princes Town; Morvant Old Road, Morvant; Five Rivers Estate, Arouca. What is very significant, is that housing units were completed at Bath Street in East Port of Spain. I believe there were 28 units; Ramdial Mahabir Lands in Laventille—48 units; Strikers Village, Point Fortin—52 units; Bon Air—67 units and Buen Venue, La Romain—15 units. Additionally, 105 units are being constructed by the Sugar Welfare Committee. The fact of the matter is that houses were constructed under the previous PNM administration and we can only hope that this new Government will make some concerted, realistic efforts at dealing with this problem, because we all recognize that it is a problem.

There is an acute shortage of shelter in the country, and this is the reason that the Rent Restriction Act is so necessary. If one is to rely on the market mechanisms where it is based on demand and supply, the demand for housing outstrips the supply and definitely the prices and the rental rates are going to be very high, hence the need for a piece of legislation like this. This is the reason that we on this side have no difficulty in supporting the revalidation of this Act,

because until such time as something is done to replace this Act, we have to continue with the system and under the former administration, efforts were being made in that direction. In fact, mention was made earlier of the amendment to the Act of 1993 whereby the Rent Restriction Act was amended to remove houses constructed after August 31, 1994 from the jurisdiction of the Rent Assessment Board. All this is in keeping with some of the arguments that we have been hearing with respect to the limitations, or the relevance of the Rent Restriction Act.

I would just like to urge the hon. Minister of Housing and Settlements, a man who should really be the Prime Minister—and I hope one day he would get that opportunity to at least act as the Prime Minister of this country because he deserves it. Nobody has struggled more with our present Prime Minister than the hon. Mr. John Humphrey.

I thank you

Sen. Diana Mahabir-Wyatt: Mr. President, I really had not intended to speak on this topic today, but during the course of the debate certain issues have come up and I wonder if the hon. Minister would be so kind as to address a couple of my concerns when he is making his reply.

The first of these has to do with the effectiveness of the Rent Assessment Board, I think that is the correct name for it. Sen. Beckles, when she made her presentation, did talk about the difficulties experienced in bringing matters before the Rent Assessment Board. I, like everyone else, hope that this will not go on forever and ever. Another three years should be enough for the extension. I think if we can just make that Rent Assessment Board more effective, maybe some of the injustices that are now taking place will not be continued.

I am concerned like everyone else with those poor tenants who have called the Minister, worrying that if rents are not restricted, they would not have anywhere to live. But there is another side to this story and that has to do with elderly widows who have no means of income. An elderly widow who has worked all her life in the home to support her husband and family, has no pension income from the National Insurance, as we all know. In many cases, if a wife outlives her husband, or lives ten years past his retirement age, she has no pension coming from a private pension scheme, and in many cases, elderly widows have only the matrimonial home which they have rented out in order to survive. As time goes on—from 1963—1973, or from 1983—1993, or whatever it is—they are unable to increase the rentals on these properties and they can hardly survive. The answer to that, of course, is to make the Rent Assessment Board more effective

and I think, fair to everyone. This is a point that has to be taken into consideration. While one worries about the poor tenants, there are very, very poor landlords or, if you prefer, landladies who must also be taken into consideration.

The second point, Mr. President, has to do with a point which was made by Sen. St. Cyr, that it should be the Government, not the landlords, who are responsible for the homeless and I could not agree more; the Government, not the landlords, or the poor widows who are trying to scratch a living to also keep themselves from starvation. I think this is important.

I am also a little concerned about the whole question of squatters. Sen. Beckles quoted the Minister as having said that squatting is not the problem. I did not hear him say it in those terms, because I think that squatting is a problem.

For example, squatting along the Lady Young Road is now defacing that road, and although people have objected to this over and over again, no one does anything about it. Side-roads are being built and surfaces paved and people are just happily squatting there, interfering with traffic. It is as though no one really makes a difference.

If squatting is regularized, presumably it would not be that kind of squatting—one would hope not. Neither the last Government, nor the one before seemed to take any account of it, but in providing national housing, if someone cannot afford to pay the minimal rents that the National Housing Authority charges, I am not sure how they are going to be able to afford to purchase a core house. If they are homeless, they are not in the category of being able to pay even \$1,000 a month nor to purchase anything when it comes to land or housing. And it was not really clear in my mind if the Minister was trying to deal with the homeless in relation to his argument, or, if it is in providing land for the National Housing Policy or the National Shelter Policy; if it is the homeless about whom we are speaking; or the people, who at the present time are squatters; or those who are living in National Housing Units and not, at the present time, being able to afford to pay rent.

I endorse the point which was made by Sen. Marshall. I am also concerned about the whole question of safety in some of the houses that are tenanted and have been very badly run-down, but I cannot reconcile this with the rent restriction and the supplying of things like fire extinguishers. If the rent restriction is to be \$1,000 a month—do you know how much a fire extinguisher costs? For elderly persons trying to pay medicine bills and keep body and soul

together to have to provide built-in safety features under the Rent Restriction Ordinance just may not be possible. This is a serious social problem.

We continue to have women with their children, who end up in shelters for battered women, or shelters for the homeless who can get some kind of surcease from their homelessness at least for a night or two, or a month or two.

3.50 p.m.

It is very difficult for anyone to be able to get a national housing unit whether it is a flat or a house, without political contact of some sort. The homeless and the helpless, the ones without any voice who tend to be families of women and children, do not have that kind of voice, they do not have the influence to be allocated one of the empty units. I echo Sen. Ramchand's appeal that all this patronage be removed from the allocation of units.

One last point, Mr. President, and that is the question of the national housing policy. Once again, I make a plea that if this Government is going to consider a national housing policy, whether it deals with core houses or the allocation of existing houses—I am not talking about equal opportunities here, I am talking about giving “more favoured nation” status to families of mothers and children who are homeless and to make sure that women with children do have entrenched rights to the allocation of houses to the homeless because so often they are the ones who are thrown out of the matrimonial home when houses are allocated in the names of both partners. When the husband decides he wants to change partners, it is usually the wife and children who end up on the streets. Once again, I beg, if this Government is going to draft a national housing policy, that special consideration be given to the needs of women and children as family units.

Thank you, Mr. President.

Sen. Prof. John Spence: Mr. President, let me make two points quickly. Point one has been made for me, in that, Sen. Diana Mahabir-Wyatt has called for the need to look at the Rent Restriction Board and how it operates. I doubt that it has the wherewithal, the support staff and so forth, to adequately deal with its task. In this regard, there is need to distinguish between the original Act which, as the hon. Minister has pointed out, was first set up in 1946 and the change which was made in 1983 when rents were rolled back to 1978.

The second one which clearly does not cater for the category which the hon. Minister is referring to with respect to the need for housing of very poor folks, did have a measure of hardship on a number of persons who had failed to

supplement their income or did not have an income at all by having invested in properties for rent.

The other point is one which I feel more strongly about and I caution or urge the hon. Minister to address it when he is developing his policy—and I must say I am sympathetic to his approach. As the hon. Minister would recall, I attended some of the meetings on the Sou Sou land concept when it was being developed, and I am impressed with Sen. St. Cyr's way of putting it. In developing this concept, there should not be alienation of agricultural land. This is something which happened, perhaps, because in the time of the NAR government the concept was not in fact fully accepted and has not yet been fully accepted—I hope it has been accepted by this new Government.

The problem then was identifying suitable lands for these projects. The hon. Minister has made the point which sets a clue to the problem and that is, one needs cheap land. In our context, the cheapest land is agricultural land, unfortunately, and so we run immediately into the difficulty of using agricultural land as a source of housing land for the sort of shelter development to which the hon. Minister referred. I urge him not to go in that direction.

It is not just a question of alienating agricultural land, it is not just a question of housing settlements—this happened also in the case of the type of housing units built in the PNM days. I had invited two previous housing ministers to drive along the Priority Bus Route and, likewise, I invite the present Minister to do so—I do not think the other two took up my invitation. One would see that any bit of agricultural land along that bus route is now going into housing and many of these schemes are government schemes to build apartments, single dwelling houses or whatever.

Apart from the fact that one is alienating agricultural land, the quality of life that one has to live surrounded by concrete and houses is completely different from if there are green spaces, agricultural enterprises, parks and the like along the way in between to make up the housing area. Think of what Port of Spain would be like if it were not for the savannah. The people along the Eastern Main Road and the Priority Bus Route are expected to live in a continuous urban area without these savannahs and spaces. The few that were left are being taken up in housing. I feel very strongly about this and I urge the hon. Minister to proceed with caution.

I support the concept and I agree entirely with the thrust that one is trying to make the poorest folk, the really disadvantaged folk, able to have shelter.

The escalation of squatters during the period when it seemed there was more sympathy towards that approach emphasizes the fact that there are a number of people without houses. The fact that the squatter problem has escalated does not mean that there are many bad people in the country, it means that there are many people showing the initiative to get some sort of shelter over their heads.

I think the Minister is quite right in the way he is addressing it, except that I hope that when he is looking for lands he would not look at Orange Grove to put houses on but he would look at Wallerfield.

Thank you, Mr. President.

Sen. Vernon Gilbert: Mr. President, I had no intention of contributing in today's debate but I heard the Minister's comment—and I am not so sure if I heard him right—that tenants will be allowed to make extensions on properties which they are renting. I hope I did not hear that. If that is so, it means that the landlords may not own their properties in the long run.

I think there is a need to protect landlords and whilst we support the Motion, as Sen. Diana Mahabir-Wyatt commented earlier, there is a need to look at the Act in its entirety and to be analytical in the approach. Assuming this Government stays in power for 15 years, we might be coming here five by three times to, more or less, amend the Act. I hope there would be some planning in the whole process almost immediately in order to protect the owners of property, the landlords. One needs to look closely at what has been the cost of doing business in order to at least lend some protection to landlords.

On the question of poor, who is really the poor? One looks at a sort of analytical approach to determine rent restriction and the accommodation for housing. I also go back in time recently, last month, when we debated the budget and the point was made by the Minister of Finance on the reduction of mortgage interest and the whole question of providing entrepreneurial spirit towards probably a retired person who has paid off his mortgage may want to rent this property, but in any business one needs to make a small profit. The relevance here is this senior citizen wanting to own another house so that he can get a benefit via the tax mortgage interest rates. There is need to look at the whole relevance of housing requirement and the renting requirement so that we can marry the two.

If one looks at what has been happening in the last couple years with unemployment and people migrating and leaving houses exposed to deteriorate, I wonder if it would not be determined that there is enough accommodation for

people—mind you, I did not say houses, but accommodation, be it apartments, houses or however one wants to look at it.

4.00 p.m.

I think it is an opportunity this Government should take, so as not to come back here next three years if it is in power, or next 15 years, and having to re-enact this old Act. I think it is time that we pay particular attention to the requirement and do it scientifically and analytically for the benefit of all, so that the landlords will benefit and the poor will benefit. I still continue to ask, who is really the poor? Most likely one needs to have these poor people, so to speak, look for a future for themselves, Mr. President, in that there is a need for people to be progressive. I know of situations where a family is poor but there are five kids. One kid may be bright and becomes a successful person and is able to lend some sort of guidance to the remaining four members of the family. I think it is really giving people an opportunity to be progressive and not to assume that they are poor so you provide a facility to keep them in that level of the playing field. All in all, Mr. President, I took this brief moment to alert the Minister of the need to look at this problem of housing analytically and not just come here every three years to re-enact the Act.

Thank you very much.

The Minister of Housing and Settlements (Hon. John Humphrey): Mr. President, I want to start by saying how pleasant it is to be in this forum. I spent four years here from 1977—1981 and, in fact, if my colleagues will permit, perhaps, next time around I will reside in this place, [*Laughter*] because the Prime Minister has been calling for a spirit of national unity and I have discerned, during the course of this debate, that such a spirit exists in the Senate, certainly on this issue of really serious national importance. I am delighted, in fact, to sit and participate in an exercise where everyone has shown genuine concern for the problem of shelter.

I want to share a few more ideas and initiatives that are already underway which would allay the concerns, I think, of most of the Members of the Senate, hopefully of the national community as well. Mr. President, the provision of adequate land to satisfy the tremendous need is not simple. I agree entirely that land use has got to be scientific and we have got to develop our country to enable it to optimize the returns, and agriculture is an absolute essential. If we cannot feed ourselves, we cannot survive and cannot ever hope to be independent as a society and as a nation. So, I agree entirely that we must stop alienating agricultural land, as we have been doing.

The problem we have at this stage of our development is that there is no cohesive national physical development plan. I am not talking about an economic plan at this time. I am talking about a physical plan. Some years ago what is now described as a plan was done by the planners. But it is not a plan in the strictest sense. If you got hold of the documents that comprise the physical plan for Trinidad and Tobago you will find, in fact, four separate strategies proposed.

Now if there are four separate strategies for development, that cannot be described as a plan. You must settle on some strategy for development, and the problem that has resulted from this is that discretion is allowed in the process, and those who have the power to persuade the authorities do so by one means or the other. Sen. Professor Kenneth Ramchand mentioned that he hoped it would come to an end.

What we are putting in place, Mr. President, I am hoping will, in fact, bring that sort of thing to an end. We had proposed—way back in 1986, in fact, and we never got around to doing it, but I have already put it in the pipeline and there will be a Note to Cabinet next week on this—a National Physical Planning Commission comprising citizens (the way other commissions provide constitutional protection and independence from the interference of politicians and others) for the purpose of devising the national physical plan, and also for establishing a comprehensive code of appropriate standards for our construction industry. I have already identified individuals who can serve on that commission after consulting with the impact groups in the society.

We are going to Cabinet to put the commission in its formative stage in place because the commission cannot exist until the Constitution enables it. The principle here is that you put in the hands of a group of independent, prominent, capable citizens the authority to devise the plan, with the support of the professionals, and to oversee the development process on the basis of that plan. In doing this, you put it out of reach of rich businessmen, who would want to do things that are not in the best interest of physical development but are in their own personal interests, and politicians who might have an advantage to develop in a certain way. We inherited, in fact, a situation that shows how political decisions can be used, where you look at the voter turnout in a particular constituency and you find that constituency to be very marginal—close balance between one party and the other—a government is inclined to try to migrate some of its own faithful supporters into that area to give itself an advantage.

Hon. Senator: PNM!

Hon. Senator: Tell us, tell us.

Hon. J. Humphrey: We inherited such a situation. Having an independent commission with the power to approve the process, what you would have is a similar situation to that of the Police Service Commission that has the power to promote, transfer, demote and expel members of the police service, but it takes that power and transfers it to the Commissioner of Police.

In the Physical Planning Commission that we are thinking about, it would have such a power and would delegate that power to what is presently the Town and Country Planning Division, but a reorganized Town and Country Planning Division. Right now there are several approving agencies. The Town and Country Planning Division is merely one of those agencies. Other agencies, WASA, the Fire Services—ultimately you get to local government where the Health Inspector has the final say and, in fact, the completion certificate for any construction is granted by that officer.

4.10 p.m.

There have been cases where a bottle of Johnny Walker black, made the difference between getting a completion certificate early and getting it months later. But when you get it months later, you pay the bank a higher rate of interest for bridging finance. What we have discovered is that the delay in the approval process raises the cost of construction tremendously, which, of course, means you cannot deliver as much as you could if finances were better deployed.

What we are looking at is a one-stop-shop, that one agency, that independent commission which would have the power of approval. That agency could delegate to licensed professionals, if it so desires. So that we license the architects and engineers and they would be delegated by the commission to approve plans which conform with the requirements of both the physical plan and the code of standards. With these guides, everyone can refer to them, effectively removing the corruption that is in the system once and for all.

This is well underway. We have been discussing a number of approaches—

Sen. Gilbert: Mr. President, on a point of clarification. Is the Minister saying that we have persons who receive a bottle of scotch for approving applications, as the case may be? Who are those persons?

Hon. J. Humphrey: They are not UNC.

Sen. Gilbert: Are they public servants?

Hon. J. Humphrey: No. We are talking about local government where an individual has the power to determine whether you get a completion certificate or not. That individual is not trained; he knows nothing about construction and he has that power, and very often that power is abused by that individual. The way we are going to restructure it, no such individual will ever have that power. That is the way it will be restructured. So you will remove all possibilities of abuse in the process. But there are other individuals who have tremendous power in their wealth, and they can go ahead and develop in areas without planning permission, totally disregarding any semblance of a physical plan. Having spent hundreds of millions of dollars on their projects, what can be done? The authorities will not demolish them, but will demolish the small house of a poor unemployed person who is trying to shelter his family and argue that he is in breach of the law, and he has no defence, but would not demolish the very wealthy magnate who does what he does.

So we are trying to straighten these things out. I was saying that there are a few very interesting developments occurring, and I do not know why Sen. Beckles is worried that our policy is confined to the delivery of land with just basic infrastructure to the very poor. We are also encouraging the delivery of units to all sectors of the society and we have had some interesting developments, some that the PNM carried forward from the NAR days which we are continuing with, because there is no point in stopping any of those projects. Some of them are turn-key projects where the state puts up the land as equity and private sector puts up the rest. They build the houses; put in the infrastructure and they market the houses. In one case, very shortly, I am going to turn the sod where the developer will be developing the houses—and this is for middle-class people—and at the end of the process he will just pay us for the land.

There are other projects that are being discussed. I think, perhaps, this is where landlords should take note. On the state properties, especially in the urban centre, where some of the high density accommodation is very badly run down, we are talking to private developers with a view to putting up new units where the space permits and to accommodate the existing residents in the rundown tenements as workers on the job so that they can earn a little income, and at the end of the process, to transfer some of them into the new accommodation and rebuild the rundown accommodation; or, if the buildings are sound and merely

need a bit of refurbishing, to help in that process through involving the communities in the new development and therefore having the resources to apply to upgrading existing accommodation.

That is one of the things landlords could look at. I am trying to make the Ministry of Housing and Settlements a virtual one-stop-shop for the approval process. I was very annoyed at first when I walked into the building that we rent, with 100,000 square foot of space with just half of it being utilized, paying a rent for every square foot. But now I am delighted because I am able to attract into that building the State Lands Department, the Director of Surveys and Sub-Intendent of State Lands, which is an office that one individual holds, where we are going to design the space to satisfy his needs and bring into that building all the land planning data that exist; where Cabinet is now considering whether the Town and Country Planning Division should not be attached to the Settlements Ministry and where we would be able to pool all the resources of the state that impact on physical planning in one organization and make it user-friendly.

I have already spoken to representatives of the Joint Consultative Council which was started 10 years ago and I was delighted to see it is still very much alive. I think, perhaps, it is the only such council that exists anywhere in the world where all the architects, the engineers, the land surveyors, the quantity surveyors, the contractors have come together and formed an umbrella organization. That group can now speak with one voice to the Government in putting forward strategies for development, not just for housing, but for all construction, large and small. We are nurturing partnerships. If we bring all the physical data into one place and make it easily accessible to all the practitioners who are in the design phase of developing construction projects, then we have a better chance of fast-tracking the process.

But I am also doing something else and it is based on the principle of national unity. We have found in the past that development has occurred in an imbalanced way. Some parts of the country have attracted great amounts of investment; other parts of the country little or no investment. So we are putting in place an approach based on inviting every single parliamentary representative to mobilize his community, do an evaluation of what is needed in the physical development aspects of the community in terms of understanding human settlements, that is providing exactly as Sen. St. Cyr was saying, an environment that can support a community and not merely a dormitory environment; have these politicians, with the people who they have activated in the elections campaign do the identification and hopefully work with their opponents in the political arena, come back to the

professionals and start the designing of a number of projects. There would be 36 major development projects throughout Trinidad and Tobago which would bring the participation of the grassroots people into the process of development.

In this way we would take the people of the community, treat them as clients, virtually, have them give their design briefs to the professionals, both the state sector and private sector professionals, and we would start development planning on that basis.

4.20 p.m.

Mr. President, I am satisfied that by pooling the intellectual and fiscal resources which we have as a society, and hopefully, by achieving something a little closer to national unity, we can solve our problems. We cannot do it if we fight each other and I am delighted to discern that in this forum the spirit of unity is alive.

With those words, I beg to move.

Question put and agreed to.

Resolved,

That the Rent Restriction (Re-enactment and Validation) Act, Chap. 59:50, shall continue in force for a period of three years commencing February 24, 1996.

ADJOURNMENT

The Minister of Public Administration and Information (Sen. The Hon. Wade Mark): Mr. President, before moving the adjournment of the Senate to Tuesday, February 27, 1996 at 1.30 p.m., at which time we would focus on Sen. Martin Daly's private motion on Severn Trent, and after his presentation, with his agreement, the Senate would address the Supreme Court of Judicature (Amdt.) Bill 1996, allow me, on behalf of all my colleagues to extend a very peaceful, happy, sober and enjoyable 1996 carnival to all Senators, members of staff and the security forces.

Also, I take this opportunity to wish the Muslim community happy Eid Mubarak which is to be celebrated on Wednesday, February 21, 1996.

I beg to move that the Senate do now adjourn to Tuesday, February 27, 1996 at 1.30 p.m.

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 4.23 p.m.