SENATE

Tuesday, July 02, 1996.

The Senate met at 1.55 p.m.

PRAYERS

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

CONDOLENCES

Mr. Vice-President: Hon. Senators, let me first apologize for our late start.

I would like to convey to Sen. The Hon. Wade Mark and family, on behalf of the Senate, our profound condolences on the death of his sister, Patricia.

On behalf of the Members of this Senate, I would also like to convey to the Minister of Sport and Youth Affairs and Member for Tobago West, Hon. Pamela Nicholson, and her family our condolences on the passing of her mother, Mrs. Margaret Nicholson.

Appropriate letters of sympathy have been sent to both Members.

LEAVE OF ABSENCE

Mr. Vice-President: Hon. Members, I have granted leave to Senators Philip Marshall, Brian Kuei Tung, and Joseph Theodore to be absent from today's sitting.

SENATORS' APPOINTMENTS

Mr. Vice-President: Hon. Members, the President of the Senate, Sen. The Hon. Ganace Ramdial is now acting as President of the Republic of Trinidad and Tobago. I have been advised that His Excellency the President has appointed Roodal Moonilal a temporary Senator with effect from July 02, 1996 and continuing, during the absence of Sen. Ganace Ramdial.

Additionally, His Excellency the President has also appointed Mrs. Nirupa Oudit a temporary Senator with effect from July 02, 1996 and continuing, during the absence from Trinidad and Tobago of Sen. Philip Marshall.

I have been further advised by His Excellency the President that he has appointed Mrs. Elizabeth Mohammed-Ali a temporary Senator with effect from July 02, 1996 and continuing, during the absence from Trinidad and Tobago of Sen. Brian Kuei Tung.

And further, I have been advised that His Excellency the President has also appointed Dennis Nancoo a temporary Senator with effect from July 02, 1996 and continuing, during the absence from Trinidad and Tobago of Sen. Brig. Joseph Theodore.

OATH OF ALLEGIANCE

The following Senators took and subscribed the Oath of Allegiance as required by law:

Roodal Moonilal, Mrs. Nirupa Oudit, Mrs. Elizabeth Mohammed-Ali, Dennis Nancoo.

PAPERS LAID

1. Report of the Auditor General on the accounts of National Energy Corporation of Trinidad and Tobago Limited for the year ended December 31, 1987. [*The Minister of Public Administration and Information* (*Sen. The Hon. Wade Mark*)]
2. Report of the Auditor General on the accounts of National Energy Corporation of Trinidad and Tobago Limited for the year ended December 31, 1988. [*Hon. W. Mark*]
3. Report of the Auditor General on the accounts of National Energy Corporation of Trinidad and Tobago Limited for the year ended December, 31, 1989. [*Hon. W. Mark*]
4. Report of the Auditor General on the accounts of National Energy Corporation of Trinidad and Tobago Limited for the year ended December 31, 1990. [*Hon. W. Mark*]
5. Report of the Auditor General on the accounts of National Energy Corporation of Trinidad and Tobago Limited for the year ended December, 31, 1991. [*Hon. W. Mark*]
6. Annual audited accounts of the Petroleum Company of Trinidad and Tobago Limited for the year ended September 30, 1995. [*Hon. W. Mark*]

7. Report of the Auditor General on the accounts and financial statements of the National Settlements Programme for the year ended December 31, 1993 as required by Loan Contract 584/OC-TT between the Government of the Republic of Trinidad and Tobago and the Inter-American Development Bank. [*Hon. W. Mark*]

8. Report of the Auditor General on the accounts and financial statements of the National Settlements Programme for the year ended December 31, 1994 as required by Loan Contract 584/OC-TT between the Government of the Republic of Trinidad and Tobago and the Inter-American Development Bank. [*Hon. W. Mark*]

9. Report of the Auditor General on the accounts and financial statements of the Technical Assistance Loan Project for the year ended December 31, 1995 as required by Loan Contract No. 3153-TR between the Government of the Republic of Trinidad and Tobago and the International Bank for Reconstruction and Development. [*Hon. W. Mark*]

2.05 p.m.

GIRL GUIDES ASSOCIATION OF TRINIDAD AND TOBAGO (INC'N) BILL

Presentation

Sen. Nizam Baksh: Mr. Vice-President, I wish to present the report of the Special Select Committee of the Senate appointed to consider and report on a Private Bill for the incorporation of the Girl Guides Association of Trinidad and Tobago and matters incidental thereto.

ORAL ANSWERS TO QUESTIONS

Demerara Road Squatter Settlement (Decontamination of site)

5. Sen. Prof. Julian Kenny asked the Minister of Health:

A. Could the hon. Minister inform the Senate whether the squatter settlement at Demerara Road, contaminated with lead slag, has been decontaminated?

B. If the answer is in the negative, could the Minister inform the Senate of the number of families and of the approximate total number of individuals still resident on the settlement?

C. Further, could the Minister state what Government's proposals are for resettlement of these residents and the decontamination of the site?

The Minister of Health (Dr. The Hon. Hamza Rafeeq): Mr. Vice-President, Members of this honourable Senate will recall that in April, 1993, lead poisoning was discovered among members of the squatter settlement at Demerara Road, Arima. The poisoning resulted from extensive amounts of lead waste dumped there from a battery manufacturing plant. A task force was set up by the then Cabinet on June 11, 1993 to investigate and make recommendations. The task force submitted its report on June 29, 1993 and recommended, among other things, relocation of the residents and decontamination of the site. Little or nothing has been done since and the site has not been decontaminated.

Since this matter has been drawn to my attention, the site has been visited and we were able to confirm that there are about 200 families resident there and the approximate number of individuals is about 500.

The Government recognizes the relocation of the squatters of Demerara Road is a matter of urgency. In consultation with the National Housing Authority, the Government has identified 200 building lots at the Wallerfield Housing settlements to relocate the residents of Demerara Road. Most of the infrastructure work has already been done. The Government has appointed a committee to make proposals for the resettlement of the residents to Wallerfield. The committee is to report to Cabinet within two weeks on this issue. The committee has also been mandated to make proposals for the decontamination of the site and further, to make proposals for the disposal of toxic wastes generated in the country.

The committee referred to above comprises representatives from the following:

Ministry of Health - Chairman

Ministry of Housing and Settlements

Ministry of National Security

Ministry of Labour and Co-operatives

Ministry of Social Development

Ministry of Works and Transport

Ministry of Planning and Development

Office of the Attorney General

Environmental Management Authority

University of the West Indies

In closing, I am indeed grateful to the hon. Sen. Prof. J. Kenny, for some information and some valuable suggestions he gave to me a while ago on this matter.

Sen. Prof. Spence: A supplementary question, Mr. Vice-President. I wonder if the hon. Minister would not consider that setting up a committee to look at wastes in Trinidad and Tobago is usurping the powers of the Environmental Management Authority.

Dr. The Hon. H. Rafeeq: The committee was just set up to make proposals, not to take over the functions of the EMA.

Sen. Prof. Spence: But should not the EMA be making proposals, Mr. Vice-President?

Dr. The Hon. H. Rafeeq: The EMA is represented on this committee.

Sen. Prof. Kenny: Mr. Vice-President, a supplementary question. Bearing in mind that lead is very easily traced to source, does the Government of Trinidad and Tobago intend to pursue the source of this contamination with a view to having the polluters meet the cost of decontamination?

Dr. The Hon. H. Rafeeq: That may be pursued. We do have some information as to the source of the lead so far, but our information is that the persons who were responsible for the dumping of the waste have since moved operations from Trinidad and Tobago.

Convention on International Trade in Endangered Species (CITES) (Ratification of)

6. **Sen. Prof. Julian Kenny** asked the Minister of Agriculture, Land and Marine Resources:

A. Could the hon. Minister inform the Senate whether the Convention on International Trade in Endangered Species (CITES) has been ratified by the Government of Trinidad and Tobago?

B. If the answer is in the affirmative, could the Minister state whether legislation in support of CITES has been drafted, and the timetable for submission of legislation to Parliament?

C. If the answer is in the negative, could the Minister give an indication of the timetable for formal ratification and the nature of any proposed legislation required under CITES?

The Parliamentary Secretary in the Ministry of Agriculture, Land and Marine Resources (Mr. Chandresh Sharma): Mr. Vice-President, as indicated in Article XIX of the Convention, the treaty was open for signature at Washington until April 30, 1973 and thereafter at Berne until December 31, 1974. Fifty-seven states have signed the Convention accordingly. Trinidad and Tobago did not.

For those 57 countries that signed the Convention, it was (or still is for four states) subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Government of the Swiss Confederation which is the Depository Government, (Article XX). The difference between ratification, acceptance or approval is without significance. One country accepted the Convention—that is Japan—one approved it—which is France. All the others ratified it. The result happens to be the same.

For those countries that did not sign the Convention, it is open indefinitely for accession. Instruments for same shall be deposited in the Depository Government (Article XXI). As Trinidad and Tobago has not signed the Convention, it had to accede to it to become a party.

In accordance with Article 1, paragraph (h) of the Convention, a party is a state for which the Convention has entered into force. In accordance with Article XXII, for each state which ratifies, accepts or approves the Convention or accedes thereto after the deposit of the tenth instrument of ratification, acceptance, approval or accession, the Convention shall enter into force 90 days after the deposit by such state of its instrument of ratification, acceptance, approval or accession. Accordingly, there is no difference amongst the parties resulting from the way (ratification, acceptance, approval or accession) they joined it. All have the same duties and the same rights.

On or about January 19, 1984, Trinidad and Tobago deposited its instruments of accession. It is important to note that Trinidad and Tobago holds the position of Regional Representative for Central and South America and the Caribbean Region

on the Standing Committee of CITES. Additionally, Trinidad and Tobago was elected Alternate Vice-Chair of the Standing Committee and will serve until 1997.

Legislation in support of CITES is presently being drafted by the Chief Parliamentary Counsel of the Office of the Attorney General. This legislation has been scheduled for submission to Parliament in September 1996. Provisions relating to the trade in exotic species (plants and animals) have also been included in the proposed draft National Parks and Wildlife Bill.

Part (c) does not apply in view of the answer to part (b).

Sen. Prof. Kenny: Mr. Vice-President, I am somewhat confused by the answer in that we acceded to this Convention in 1984. Is that correct?

Mr. Sharma: Yes.

Sen. Prof. Kenny: It is now 1996 and we are still drafting legislation required for this Convention.

Mr. Sharma: I am glad you raised that point. It is the failure of the past administration. It is being attended to now.

2.15 p.m.

ARRANGEMENT OF BUSINESS

The Minister of Public Administration and Information (Sen. The Hon. Wade Mark): Mr. Vice-President, I beg to move that the Senate now deal with Motion No. 5 under Private Business before proceeding with Government Business.

Agreed to.

GIRL GUIDES ASSOCIATION OF TRINIDAD AND TOBAGO (INC'N) BILL

Adoption

Sen. Nizam Baksh: Mr. Vice-President, I beg to move the following Motion standing in my name:

Be it resolved that this Senate adopt the Report of the Special Select Committee of the Senate appointed to consider and report on a Private Bill for the incorporation of the Girl Guides Association of Trinidad and Tobago and matters incidental thereto.

Mr. Vice-President, we all are aware that this association has been functioning in Trinidad and Tobago for over 80 years. It has an enviable record of voluntary work with young females in developing their skills and leadership qualities, so that I do not think it is very necessary to go through all the details. They have had a record for many years which we are all aware of and I am sure that some of the females present might have been part of that training and leadership development.

I beg to move.

Seconded by Sen. Vimala Tota-Maharaj.

Question proposed.

Question put and agreed to.

Report adopted.

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

Bill accordingly read the third time and passed.

LAND ACQUISITION

The Parliamentary Secretary in the Ministry of Agriculture, Land and Marine Resources (Mr. Chandresh Sharma): Mr. Vice-President, I beg to move,

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

Mr. Vice-President, and for the benefit of Senators, the description of the lands and the purposes for which they were acquired, are itemized in the Appendix to the Order Paper. It should be noted that the procedure of acquisition of one of these cases was initiated as far back as 1988. Parliamentary approval is, therefore, long overdue.

Through you, Mr. Vice-President, I wish to advise this honourable House that the 1994 Land Acquisition Act was proclaimed on June 17, 1996, after much delay by the previous administration. The Ministry is of the view that this would go a long way in enhancing the smooth process of acquisition.

Mr. Vice-President, the parcels of land as identified in the Appendix refer to:

(a) Land located at Penal in the ward of Siparia in the county of St. Patrick comprising of 15 parcels situated at Penal between the Moora Dam and the Penal Power station. These lands are being acquired for a water pipeline reserve for the generation of electricity.

(b) One parcel now or formerly belonging to Usuf Ali Syne which is being acquired for road access to the Moora Dam and for water pipeline facilities.

Proceedings for acquisition were initiated on December 19, 1994 and authority to commence work under section 4 was issued on December 22, 1994.

The land listed as parcel No. 2, located at Palmiste, Phillipine in the ward of Naparima in the county of Victoria, is being acquired for a national park. One would recognize Government's emphasis on healthy lifestyles, and this is in keeping with the provisions to provide more and more recreation facilities for all citizens.

Parcel No. 3 which refers to land situated off Cipriani Avenue, Morvant, is being acquired for the purpose of providing an access road off Cipriani Avenue. Proceedings for acquisition were initiated on June 9, 1988 with the authority commencing work on the said parcel on June 27, 1989.

Parcel No. 4 is located off the extension of Lambeau Cemetery Street, Lambeau in the Parish of St. Andrew in the ward of Tobago. This parcel is being acquired for the improvement of the Claude Noel Highway providing for the improvement of road facilities for local citizens and for many visitors to the island of Tobago.

Parcel No. 5 is situated at Granville Beach, Cedros. Since November 3, 1960, the parcel of land was acquired by the state for construction of the Granville Beach Public Car Park. During construction the state occupied a greater portion of land than was acquired thereby encroaching upon private lands. As a consequence it was recommended that the lands encroached upon be also acquired by the state.

Parcel No. 6 consists of two areas of land located between Macoya Road and the Eastern Main Road, Tunapuna. The first now or formerly belonging to K. and N. Ramsaroop and the other now or formerly belonging to N. and G. Harditsingh. Procedure for this acquisition which was at the request of the Ministry of Works and Transport and is for road improvement in the same area was initiated on December 1, 1994 and authority to commence work was issued on January 17, 1995.

Hon. Members, these acquisitions are all being undertaken to improve the quality of life for the citizens of Trinidad and Tobago. They are in keeping with sections 3, 4 and 5 of the now repealed Land Acquisition Act, Chap. 58:01. I wish

to make the point that it is my Government's commitment to ensure that these parcels are the last for which such delays would take place since a process is now being put in place to compensate persons from whom the lands were acquired.

On a previous Motion raised on December 1, 1995, the former Minister of Agriculture, Land and Marine Resources is alleged to have said that the allocation of financial resources is one of the main reasons the 1994 Land Acquisition Act had not been proclaimed. However, the view of this Government is that the proclamation of an Act should not hinge on whether or not there are funds. The Act was proclaimed to allow the Government to further its plans.

The Government, though mindful of the fact that money has not been allocated for acquisitions in this year's national budget, believes that the Act should be immediately proclaimed since it does attempt to cure the defects of the previous system which caused hardship to persons whose lands were acquired by the state. We are convinced that where land is required for a public purpose, the Ministry will make the necessary arrangements to access funds for the payment of compensation in accordance with the Act.

Mr. Vice-President, I beg to move.

Question proposed.

Sen. Nafeesa Mohammed: Mr. Vice-President, let me say how very refreshing it is to see some truly honourable Ministers here with us today. In fact, let me say congratulations, as well, to the Parliamentary Secretary in the Ministry of Agriculture, Land and Marine Resources who is here with us.

Just a few moments ago he made mention that the past administration had delayed in acceding to the particular treaty that was being discussed. I would just like to remind hon. Senators that from 1984 to the present there were two former administrations: an administration under the People's National Movement and, of course, an administration under the National Alliance for Reconstruction, the coalition partner of the present Government.

2.25 p.m.

Mr. Vice-President, with respect to the Motion that is before this honourable Chamber, when one looks at the parcels of lands that are being acquired and the public purposes for which they are being acquired, one would see that it is really a continuation of the work that was being done by the past administration and I state

specifically, the past PNM administration. If one were to look at the parcels of land in Penal—fifteen parcels of land in Penal for a water pipeline to generate electricity and a road to access the Moora Dam—this is a reflection of the work that the former administration was doing with respect to improving the electricity supply in this country. It is, in fact, part of the PowerGen agreement which was entered into for the purpose of improving our supply of electricity in this country.

Pursuant to this agreement, it was necessary to acquire certain parcels of lands for the running of pipelines, for waterways, for sites, for transformers and so forth. Before these lands could have actually been acquired, it would have been necessary to survey them. When one looks at the date of the survey plan with respect to these lands in Penal, one would see that it is dated November 14, 1995 but the survey order was actually No. 5 of 1995. Here it is the present administration has taken some seven or eight months to proceed with this acquisition.

I pose the question to the hon. Minister whether this delay would, in fact, incur any penalties to the Government of Trinidad and Tobago insofar as this time lapse has occurred? Are the lands being handed over in time? If not, are there any penalties that are associated and if so, how much?

Mr. Vice-President, with respect to the lands in Palmiste for the purpose of a national park, we would see that the survey plans were signed and dated December 9, 1994 and June 30, 1995. The survey orders were No. 75 of 1992, and No. 60 of 1994. Looking at these dates, it is clear that these plans to create a national park in Palmiste were certainly being followed through by the former PNM administration. The people of Trinidad and Tobago know that Palmiste is a very special place. After all, it is the area in which our Prime Minister has resided for several years. In fact, when he was the Leader of the Opposition he lived there.

Contrary to the many allegations that have been made against the PNM, certainly, there has been no discrimination by the former PNM administration in carrying out the necessary groundwork in order to regularize this parcel of land. The other parcels of lands in Morvant for an access road, lands in Lambeau, Tobago for the Claude Noel Highway, lands in Granville, Cedros for a public car park and lands in Macoya are acquisitions which reflect the work that was being done.

We have heard about the delay by the past administration with respect to the Land Acquisition Act. It is a fact that the Land Acquisition Act was passed under the former administration in 1994. If there was any delay to the proclamation,

certainly, the main purpose of this Land Acquisition Act is to expedite the compensation package for those persons whose lands are taken away from them. It does involve some infrastructural groundwork being laid. It requires funding, and the hon. Minister admitted to the fact that in the last budget presentation no allocation was made in respect of compensation to persons whose lands were acquired. It also requires the relevant machinery for surveys to be done.

I am not too sure where the Lands and Surveys Department is presently being housed. It is my information that at one time it was housed at the Ministry of Agriculture, Land and Marine Resources. I do not know if it might be located in another ministry now. Certainly attempts were being made to put the necessary machinery in place in order to equip the Lands and Surveys Department. Indeed, at that time the Ministry of Planning and Development and the Ministry of Agriculture, hand in hand were tackling the necessary reforms.

Mr. Vice-President, there are reasons for the delays with respect to the proclamation of the Land Acquisition Act. I would like to know whether by simply proclaiming an Act, if it deals with the problem, or deals with the mischief for which the Act had been passed, we still have to ask about compensation for those persons whose lands have been acquired. But all in all, we support the Motion that is before this honourable Chamber this afternoon with respect to the acquisition of these lands. It is a true reflection of the good work that the former PNM administration had carried out. I think, "Jack should be given his jacket."

Mr. Vice-President, I thank you.

Sen. Prof. John Spence: Mr. Vice-President, I offer my congratulations to hon. Member, Mr. Sharma on his acting as Minister of Agriculture, Land and Marine Resources. It is a great pity that we do not have the opportunity when either the Minister of Agriculture, Land and Marine Resources or when the hon. Acting Minister comes to the Senate to hear something about the agricultural policy. We only get the pleasure of their company when we have other routine matters of acquiring lands. If my senatorial colleagues would allow me a minute of indulgence, I want to make a point about agricultural policy.

In one of today's daily newspapers there is an article headed "Government asks Manning to help plan T&T future." It states that a commission is to be set up, and organizations which were invited to sit on this commission are the National Trade Union Centre, the Tobago House of Assembly, the Chamber of Commerce, the Employers' Consultative Association, the Trinidad and Tobago Manufacturers'

Association, the Inter-Religious Organization, the Association of Independent Ministers, the Association of Insurance Companies, the Institute of Banking, the University of the West Indies, and non-governmental organizations represented by FEEL, an organization representing sport, youth and culture.

Mr. Vice-President, agriculture is conspicuous by its absence. Does this tell us what the present Government thinks about the agricultural sector? When I read this, certainly my concern is raised about present Government policies especially in the absence of any stated policy on this sector.

With respect to the existing Bill, I would be grateful if the hon. acting Minister could tell us a bit about the national park which is to be created. I think, in response to the question on CITES, he did mention that legislation is being drafted in order to give effect to the creation of national parks. Could he tell us about this national park, whether it is going to be in some other ministry until the new legislation is enacted?

Thank you.

2.35 p.m.

Sen. Prof. Kenneth Ramchand: Mr. Vice-President, I am very happy to notice and applaud the Government's intention to purchase lands for a national park. I was not too sure that ways and means existed to do things of this sort on behalf of the nation. I say so because although the National Trust Act was passed in both Houses of Parliament in 1990 and assented to by the President in 1990, it has not yet been proclaimed. The members of the National Trust have not yet been named. As you know, national parks, heritage buildings and other public monuments would fall under the aegis of the National Trust.

At this point, I can either give you a very long "if" sentence which would run no danger of being irrelevant, or I can crave your indulgence to make a plea on behalf of the Naipaul House in St. James. I would prefer not to give you that long hanging "if" clause. May I proceed in a straightforward way to make this appeal. The house on Nepaul Street, St. James—which has literary associations with the first outstanding journalist and literary figure in the country, Mr. Seepersad Naipaul who was the *Trinidad Guardian's* Chaguanas correspondent, from 1928, and worked for that paper till 1950 and who produced a fine collection of short stories, *Curudeva and Other Indian Tales* in 1943—the house which this gentleman purchased towards the end of his life is now available for sale. It is being sold at the price of $300,000.

The house is important not only because of its association with Mr. Seepersad Naipaul but also because it is the house which is commemorated in the title of one of Trinidad's most famous novels, *A House for Mr. Biswas*. The house for Mr. Biswas is the house which Seepersad Naipaul bought for his family towards the end of his life, and which gave a sense of order, peace and stability to our most distinguished novelist, Mr. Vidya Naipaul who produced *A House for Mr. Biswas* and other novels.

This is the house in which Shiva Naipaul, another Naipaul novelist, grew up and which gave him the kind of stability and confidence to achieve his distinguished literary career. This is a house which has literary associations with the three members of the most distinguished literary family we have ever produced. The house also has broad cultural and sociological significance because it symbolizes the movement from the country side to the town, from rural to urban. It also marks the emergence of different types of family patterns and the nuclear family out of the extended family.

This house does not mean a great deal only to descendants of Indians in the West Indies—although another of its significances is that the house is commemorated in the book—but it also traces the emergence of a person of Indian origin as somebody who is part of Trinidad's national life. Mr. Biswas comes out of an Indian enclave and claims his place and name in national life and the national building. It is a very significant movement and a precursor to the events which happened in the 1980s and are happening in the 1990s.

I suggest that you use your good office to pass the word on to the powers that be that this building ought to be acquired in the same way as the land for a national park with speed and urgency. I believe that this house which is on sale for $300,000 is the kind of heritage building that the National Trust might wish to purchase and convert into a museum and library for the study of the Naipauls. There are ways in which it can also be a base which would attract scholars and tourists from all parts of the world who are interested in our culture and national life.

That is why I began by saying that I am very happy to note that although the National Trust has not been named, I applaud the Government for acquiring lands for a national park for the people of Trinidad and Tobago.

Thank you.

Sen. Rev. Daniel Teelucksingh: Mr. Vice-President, several issues clamour for our attention today. Featuring for weeks now, of course, is the new lottery

game in Chaguaramas and the Caricom Summit in Barbados which is beginning tomorrow. We are using very precious national time to respond to the various issues before us.

Of these two I have mentioned and many more, I believe the one that should be taking up some of Parliament's time today is the results of the Common Entrance Examination. Thousands of people in this land are concerned about the new lottery game at Chaguaramas or what happens in Caricom tomorrow. Of the 29,273 students who wrote the Common Entrance Examination, there would be no high school places for 6,802, and 650 students would be placed in the post primary centres. I want to add this 650 to the 6,802 who did not get school places because the post primary school centres which are absorbing 650 students have become centres of frustration. Hence the reason I share this figure with you; 7,452 students would not be placed in high schools.

Sen. Mark: Mr. Vice-President, on a point of order. I think the Senator is irrelevant. There is a particular motion before the Parliament which has nothing to do with examinations. I would like you to rule on it.

Mr. Vice-President: I would like to invite the hon. Senator to address the Motion before the House. I would like your remarks to be focused in some way, otherwise I would have to rule you irrelevant.

Sen. Rev. D. Teelucksingh: Thank you very much, Mr. Vice-President. I am glad that you did not rule me irrelevant because I am very much aware of the matter before us, but all of us are allowed some latitude by way of introduction. This is my introduction. I know we are talking about land acquisition and I have a point to make. I am leading to that.

2.45 p.m.

Sir, this is, a very critical issue before us. I am saying that under the last administration no junior secondary schools were built from 1991—1995, and I want to ask the present administration that they put on the national timetable the construction of high schools to absorb all primary school children.

Now I am glad I was not ruled out of order because I want to talk about national parks and recreation centres. I want to talk about the much political show about promenades and parks by both political parties—the last regime and this one, too. I want to agree with the hon. Minister about the need for national parks and recreation centres, but my contention today—and I am serious about this—is

that our children's education is so important that I say: "School places before parks and promenades". That is where I am coming from. School places are much more important.

What happens to the 8,000 school children who failed the Common Entrance Examination last year? And the Government is talking about promenades and parks and wants to name them after sportsmen and politicians. I wish the national community had a say in some of the decisions we make; the amount of money we have spent on promenades and parks over the years and we have not provided for our school children. That is very relevant for it is front page news today. In fact, it is the most important item today affecting the lives and the future of nearly 8,000 children.

No matter how much I love the Phillipine or Palmiste Estate being transformed into a national park, I personally believe, in the light of my introductory comments and concern, that that Palmiste property will cost this Government millions of dollars. It is about 40 acres or more. That should be on the back burner whether the last government, as the Sen. Mohammed said, conceived of that idea and got the whole process in motion, or the present Government did. To acquire that property will run into millions, money we cannot afford at this time. We have more important things to do. We cannot afford to purchase that land now.

Mr. Sharma: Maybe I can help the hon. Senator. We paid $1.00 for the lands.

Sen. Rev. D. Teelucksingh: One dollar for all the lands? Why did the Minister not say that earlier? All right. I will continue then. *[Interruption]* That is a secret, a national secret.

This does not take away from my concern, because only recently we spent so much money on some of our promenades that I wonder where our priorities are. Even in the purchase of one of the houses mentioned, I still feel that we need to find the money to build schools. It is most important.

Another comment I wish to make on this Motion is about the purchase of the lands for electricity generation in Penal. I know that we have said much about PowerGen, but I ask myself why PowerGen has to come here to Trinidad to tell us that the Moora Dam is right nearby and the resources from that dam can be used in the generation of electricity in the Penal Station. I wonder why this resource was not used when T&TEC was in charge?

I thank you.

The Minister of Community Development, Culture and Women's Affairs (Sen. Dr. The Hon. Daphne Phillips): Mr. Vice-President, I stand just to respond to the concern of the hon. Sen. Prof. Kenneth Ramchand in relation to the issue of the sale of the "House of Mr. Biswas." I thank him for the information which I did not have access to before now.

The National Trust Act, which needs to be proclaimed, is under the ministry which I head and we have just received information that part of what we need to do is to name a board and we are in the process of doing so. In relation to the actual information, however, I want to assure Prof. Ramchand that as soon as I get the background information concerning that particular house, which we all clearly understand is part of our national heritage, I will take a note to Cabinet to try to get that house maintained as part of our national heritage.

The Parliamentary Secretary in the Ministry of Agriculture, Land and Marine Resources (Mr. Chandresh Sharma): Mr. Vice-President, let me thank Sen. Nafeesa Mohammed for her contribution. It is instructive that she noted that the survey plan was signed on November 14, 1995. This was a few days after the coming of this new Government, so immediately we began to work. There was absolutely no delay, and her question as to whether we will incur cost does not arise at all. In fact, she added another dimension to the famous "woulda, coulda, shoulda government", that of a "putta government". They were putting things in place.

In the area of Palmiste, the Senator will recall—and I am sure that she came from a family which will help her recall—that this Motion was brought by the hon. Prime Minister, then Leader of the Opposition, in 1976. In terms of Granville, if I recall correctly, this was first proposed in 1960 before she was born, and look at the number of years it has been on the drawing board.

I also wish to thank Sen. Prof. Spence. We have noted his comments and concerns regarding the newspaper article, but I am sure he does not consider every newspaper article to be accurate. The matters he has raised will be considered.

Sen. Prof. Ramchand's concern was addressed by my colleague Sen. Dr. Daphne Phillips. Thank you Rev. Teelucksingh. The reason that T&TEC did not look into this matter was simply because the administration did not give them that direction. A new government has come into being; it has given certain directions; Moora Dam is on the drawing board; things are happening.

In the area of national parks, as the Senator knows, lands are available in the country. We hope that more and more people will become involved. At Palmiste,

so far, it has not cost this Government any moneys. All the work that has taken place so far is through NGOs and citizens like himself.

In the area of schools to be built in the future, certainly they are on the drawing board. The lands are available. Again, we would be inviting others to get involved—the boards, other NGOs, corporate citizens. We are also concerned about those unplaced students, but consider that with seven months in government it is difficult to build a junior secondary school.

So, Mr. Vice-President, I want to thank all Senators for their participation.

Question put and agreed to.

Resolved:

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

APPENDIX B

DESCRIPTION OF LAND	**PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED**
1. The following parcels of land containing 0.8173 of a hectare more or less, situate at Penal in the ward of Siparia in the county of St. Patrick described in the Schedule hereto and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated November 14, 1995 executed under Survey Order No. 5/95 and filed in his office. SCHEDULE Fifteen (15) parcels of land containing together 0.8173 of a hectare more or less situate at Penal between the Moora Dam and the Penal Power Station in the ward of Siparia in the county of St. Patrick and comprises as follows:	1. A water pipeline reserve for the generation of electricity 2. A road to access the Moora Dam and water pipe-line facilities

	PUBLIC PURPOSES

DESCRIPTION OF LAND	**FOR WHICH TO BE ACQUIRED**
A. *For a Water Pipeline Reserve for the Generation of Electricity* 1. 985.7m² said to belong now or formerly to Usuf Ali Syne 2. 1332.0m² said to belong now or formerly to Shafura Ali, Arman Ali and others 3. 148.9m² said to belong now or formerly to Shafura Ali 4. 977.2m² said to belong now or formerly to H. and R. Sookhan 5. 2.2m² said to belong now or formerly to H. and R. Sookhan 6. 26.4m² said to belong now or formerly to H. and R. Sookhan 7. 548.2m² said to belong now or formerly to Sookdeo Ramnarine 8. 23.2m² said to belong now or formerly to David McGregor 9. 198.1m² said to belong now or formerly to N. Mohammed, R. S. Mohammed and R. Mohammed 10. 77.1m² said to belong now or formerly to Pearly Sirju 11. 76.6m² said to belong now or formerly to Pearly Sirju 12. 205.7m² said to belong now or formerly to Ashley and Carole Leung 13. 985.8m² said to belong now or formerly to Baby and Prairagh Bajrangee 14. 620.6m² said to belong now or formerly to Joan Bhagan	

DESCRIPTION OF LAND	PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED
B. A Road to access the Moora Dam and Water Pipeline facilities 15. 1965. Om² said to belong now or formerly to Usur Ali Syne These parcels are more particularly shown colured raw sienna on a survey Plan filed as J>B. 104 in the Vault of the Lands and Surveys Department, Red House, Port of Spain.	
2. The following parcel of land contining 17.2499 hectares more or less, situate at Palmiste, Phillipine in the ward of Naparima in the county of Victoria described in the Schedule hereto and coloured raw sienna on plans of survey signed by the Director of Surveys and dated December 9, 1994 and June 9, 1995 executed under survey Order Nos. 75/92 and 60/94 and filed in his office. SCHEDULE A parcel of land known as the "Pasture" comprising 17.2499 hectares more or less situate at Palmiste, Phillipine in the ward of Naparima in the county of victoria and said to belong now or formerly to Palmiste Estate Company The parcel is mor e particularly shown coloured raw sienna on Survey Plans filed as G. A. 107, and in Book 1140 folio 182 respectively inthe vault of the Lands and Surveys Department, Red House, Port of Spain.	A National Park

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DESCRIPTION OF LAND	PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED
3. The following parcel of land containing one hundred and eighteen point six, square metres (118.6m²) more or less, situate off Cipriani Avenue, Morvant, in the ward of St. Ann's, in the county of St. George, described in the Schedule hereto and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated August 12, 1994 executed under Survey Order No. 123/91 and filed in his office. SCHEDULE A strip of land comprising 118.6m² more or less situate off Cipriani Avenue, Morvant in the ward of St. Ann's in the county of St. George and said to belong now or formerly to Felix Joseph. This parcel is more particularly shown coloured raw sienna on a survey plan filed in Book 1140 folio 177 in the vault of the Lands and Surveys Department, Red House, Port of Spain.	**An access raod**
4. The following parcels of land 2277.4m^2 more or less, situate off the extension of Lambeau Cemetery Street, in the ward of Tobago, in the parish of St. Andrew, described in the Schedule hereto and coloured raw sienna on a plan of survey signed by the Director of Survey Order No. 93/94 and filed in his office. SCHEDULE A parcel of land comprising 2277.4m^2 more or less situate off the extension of Lambeau Cemetery Street, Lambeau in the parish of St. Andrew in the ward of Tobago and said to belong now or formerly to David Elder.	**The Claude Noel Highway**

DESCRIPTION OF LAND	PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED
This parcel is more particularly shown coloured raw sienna on a survey plan filed in Book 1140 folio 181 in the in the vault of the Lands and Surveys Department, Red House, Port of Spain.	
5. The following parcels of land containing 528.5m^2 more or less, situate at Granville Beach, Cedros in the ward of Cedros in the county of St. Patrick described in the Schedule hereto and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated August 28, 1995 executed under Survey Order No. 11/95 and filed in his office. SCHEDULE A parcel of land comprising 528.5m^2 more or less situate at Granville Beach, Cedros in the ward of Cedros in the county of St. Patrick and said to belong now or formerly to Francis Chimming. This parcel is more particularly shown coloured raw sienna on a Survey Plan filed in Book 1140 folio 184 in the vault of the Lands and Surveys Department, Red House, Port of Spain.	A public car park
6. The following parcels of land containing together 2197.1m^2 more of less, situate between Macoya Road and the Eastern Main Road in the ward of Tacarigua in the county of St. George described in the Schedule hereto and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated October 19, 1995 executed under Survey Order No. 3/95 and filed in his office.	Road Improvement

DESCRIPTION OF LAND	PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED
SCHEDULE Two (2) parcels of land containing together 2197.1m^2 more or less, situate between Macoya Road and the Eastern Main Road, Tunapuna in the ward of Tacarigua in the county of St. George and comprise as follows:- (1) 727.1m^2 said to belong now or formerly to K. and N. Ramsaroop and (2) 1470.0m^2 said to belong now or formerly to N.and G. Harditsingh. These parcels are more particularly shown coloured raw sienna on a survey plan filed in Book 1140 folio 186 in the vault of the Lands and Surveys Department, Red House, Port of Spain.	

2.55 p.m.

MARRIAGE (AMDT.) BILL

Order for second reading read.

The Minister of Legal Affairs (Hon. Kamla Persad-Bissessar): Mr. Vice-President, I beg to move,

That a Bill to amend the Marriage Act, Chap. 45:01 be now read a second time.

Mr. Vice-President, may I just take a moment to say that I am happy to be in this august Chamber once more. I spent the first day of my parliamentary life in this Chamber and I am happy to be here.

You may recall in his budget statement earlier this year, the hon. Minister of Finance clearly enunciated this Government's commitment to the development of tourism in Trinidad and Tobago. He indicated that the tourism sector was being targeted for urgent attention with the view of maximizing the potential of that industry, particularly its capacity to generate significantly increased employment

opportunities within a short period of time. To date, the Government has employed various strategies for the development of tourism in Trinidad and Tobago both at the local and macro-economic level. This Bill now before the Senate, the Marriage (Amdt.) Bill 1996 is in keeping with the Government's commitment to the development of tourism in Trinidad and Tobago. It represents but one of the strategies being employed by Government in its tourism thrust.

Mr. Vice-President, permit me to briefly mention some of the other strategies before we go to the specifics of the Bill at hand. I have been informed by the Chairman of Tidco that at present, institutional strengthening is currently taking place at Tidco for the setting up of a one-stop shop to fast track investment proposals.

Secondly, Government has been very mindful of the fact that the tourism industry comprises not only the hotel subsector but various other ancillary activities and services which form an integral part of the hospitality industry and therefore, Government held consultations with the view of making amendments to the Hotel Development Act. These amendments to the Hotel Development Act, I am informed by the chairman of Tidco are in the final stages of drafting. When that Act is amended, the provisions will include approved tourism projects as well as approved hotels in the category entitled to benefits under that Hotel Development Act. This, in my respectful view, would assist in stimulating private sector investments, and ultimately, jobs.

Thirdly, this year Tidco has been making renewed efforts to actually go to the market place to encourage a greater number of tourists to come to Trinidad and Tobago. To that end, a marketing trip was made to Germany in May and it is to be repeated in August this year. Another marketing thrust is to be made during July and September to the United Kingdom and a final effort will be made at the world travel market in the United Kingdom in November.

Fourthly, I am informed that Tidco is formally negotiating with an airline to have weekly chartered flights come to Trinidad and Tobago during the tourist season in an effort to bring more tourists from those markets that they had visited.

Whilst these developments are taking place in the tourism industry in Trinidad and Tobago, Government has recognized that within the industry itself, there are niches or specialty markets and that we need to exploit those markets as another avenue to competing within the tourism industry. One of the niche markets which

has been identified is what is known as the wedding/honeymoon segment of the industry.

In a bid to capture a share of that niche market, tourist destinations throughout the Caribbean have relaxed their residency and other restrictions to enable non-residents to wed in a short period of time. Such measures within the Caribbean have proven to be very successful in attracting the wedding/honeymoon segment of the industry, while at the same time, it has proven to be very lucrative in the profits realized from this segment of the tourism industry.

Regrettably, Mr. Vice-President, to date, Trinidad and Tobago has neglected to do so. If we look, for example, at top destination residency qualifications for marriages in the Caribbean, these range from one to three days. The qualifications in Jamaica is one day; Barbados one day; St. Lucia two days; Antigua three days; the Bahamas three days; Cayman Islands three days, but in Trinidad and Tobago, the residency requirement is seven days. It is apparent that Trinidad and Tobago, and in particular Tobago, has great potential as a wedding-in-paradise destination similar to the other islands mentioned. However, the current restrictions and requirements of our Marriage Act, Chap. 45:01 militates against the competitiveness of Trinidad and Tobago as a wedding/honeymoon destination.

In order to compete more effectively with the other destinations and thereby facilitate our inclusion as a top destination in wedding travel packages, it is necessary that we relax the current requirements. You may recall, Mr. Vice-President, that in his budget statement earlier this year, the hon. Minister of Finance had so indicated when he said that in order to make this country competitive with respect to the honeymoon segment of the tourism industry, Government will bring to Parliament legislation to amend the Marriage Act. This Bill to amend the Marriage Act, seeks to bring our legislation in line with other top Caribbean destinations with respect to residency and other requirements for marriages.

The main objectives of the Bill are firstly, to enable non-residents to be married in Trinidad and Tobago upon the expiration of three days from the date of their arrival.

Secondly, to waive the requirement for notices and bans to be posted and thirdly, to permit the registrar of marriages and any district registrar to grant a special licence subject to compliance with certain procedures.

The provisions of this Bill then, will relax the current practice to marriages as provided in our Marriage Act, Chap. 45:01. It may be useful to appreciate the changes that the amendments bring to take a look at the existing practice under our Marriage Act and this may be conveniently done under two heads, the normal procedure, and the exceptions to the normal procedure which exist at this time.

Under the normal procedure in our existing law, the parties to a marriage appear before the district registrar for the district in which each party has resided for not less than seven days. So there is a seven-day residency requirement. The parties sign a notice of the intended marriage, and identification documents duly certified and showing the termination of any prior marriage must be produced after seven days, that is on the eighth day. A certificate is then issued which authorizes the marriage between the parties named therein. This process, the normal process, involves a minimum of 17 days and may be longer if there are intervening holidays. Exceptions to the procedure are provided by sections 19 and 20 of our existing Marriage Act. Section 20 is applicable to a case where one party resides in Trinidad and Tobago and the other party resides abroad. The President's authority in this case is issued to the resident party after he or she has complied with the above.

3.05 p.m.

The authority exempts the non-resident party from the requirement of putting up a notice. The certificate is issued by the district registrar on the production of the President's authority as if the non-resident party had put up his notice in the usual way.

The procedure available in section 19 of the Act may be utilized when time is of the essence. This President's licence, as it is called, dispenses with the requirement for putting up a notice. An application may be made by way of the following procedure:

Both parties must have been resident in Trinidad and Tobago for at least seven days. Days are counted from the day after arrival of the parties, so that would make eight days.

Both parties appear before the Registrar General where formal application is made. A letter indicating the reasons for the application and airline tickets and passports are produced to verify arrival and departure dates.

The application is then forwarded to the Minister of Legal Affairs who grants the licence on behalf of the President. The licence is then returned to the Registrar General and issued to the applicant upon payment of a fee of $100 in stamps.

The Registrar General's sub office in Tobago situated at Jerningham Street, Scarborough, processes applications for licence for persons in Tobago. The licence is transmitted to and from the Minister of Legal Affairs via fax. This entire process from the making of an application to the granting of a licence takes between eight and 10 days; eight days of which are necessary merely to establish the residency requirement.

The Marriage (Amdt.) Bill proposes to reduce the strict requirements in cases where two non residents wish to marry in the following manner:

By clause 3 of the Bill a new section 19A would be inserted that would:

a) reduce the residential requirements to three days instead of seven days in the case of two non residents;

b) give the registrar of marriages, the Registrar General and any district warden the power to grant a special licence upon payment of a fee of $300;

c) make the district warden ex-officio Commissioner of Affidavits for the purpose of administering the oath under this section only.

In order to enhance the efficient implementation of the provisions introduced by the new section 19A, other consequential amendments are deemed necessary. These are as follows:

Clause 4 proposes to amend section 12 of the Act in order to permit the solemnization of marriage under a special licence.

Clauses 5 and 6 would amend section 28 of the Act to allow marriage officers and district registrars, respectively, to solemnize a marriage on delivery of a special licence.

Sen. Mahabir-Wyatt: Mr. Vice-President, I wonder if the hon. Minister would kindly comment on clause 6. Does clause 6 (2) mean that no church marriages are allowed? It says:

"Marriage would be solemnized with open doors by a district registrar and does not include a marriage officer."

Hon. K. Persad-Bissessar: Mr. Vice-President, I would address that in a moment.

Clauses 5 and 6 would amend sections 28 and 29 to allow the marriage officers and district registrars to solemnize a marriage on the delivery of a special licence.

Clause 6 also gives the district registrars the freedom to solemnize a marriage in locations beyond the boundaries of the office.

Clause 7 seeks to amend section 30 of the Act. This section provides that any proceeding to solemnize a marriage after six months from the date of the notice or the grant of the President's licence would be void. Clause 7 amends this section to have that included under the new section 19A.

Clause 8 seeks to amend section 41 of the Act. The existing section 41 makes it an offence for any marriage officer or district registrar to knowingly solemnize a marriage before the issue of a certificate or grant of a President's licence after the expiration of six months as provided by section 30 of the Act.

Clause 8 of the Bill would amend this section to include a special licence as introduced by section 19A.

As I indicated before, the rationale behind this amendment is that the relaxation of current requirements would make Trinidad and Tobago a more viable prospect as a wedding/honeymoon resort since in many cases the difficulty with the present legislation has deterred prospective persons wishing to wed and honeymoon in Trinidad and Tobago.

Mr. Vice-President, I am informed by my Assistant Registrar General of the civil registry that an example of a case in point occurred recently.

A travel agent from Ottawa, Canada chose Tobago as the location for her wedding scheduled for February 24, 1996. She was due to arrive on February 16, 1996. Needless to say she could not meet the residency qualification to apply for the President's licence before the date fixed for the marriage. The earliest she could have applied was on Monday, February 26, 1996. Naturally another location was chosen and Trinidad and Tobago lost out on the lucrative possibilities of her endorsement of this location among her clientele.

I am informed by the Assistant Registrar General in the civil registry that similar cases arise on a regular basis. Since the average honeymoon vacation

ranges from eight to 10 days, it is impossible for parties to establish residency, obtain a licence and get married before the end of their vacation of eight to 10 days and so they chose alternative destinations where the qualifications and residency requirements are not so strict.

The records in the Registrar General's Department reveal that in 1995, 85 President's licences were granted and out of these 45 of them were granted to persons in Tobago.

For this year, 1996, 80 licences have already been granted. We have reached half of the year and the figure is already close to the total for the last year. This augurs well for an increase in the figures over last year's.

It is noteworthy that out of a total of 80 licences granted thus far this year, in almost every case these were granted to persons not usually resident in Trinidad and Tobago.

Further, of the said total of 80 licences granted thus far, 34 were granted to persons in Tobago and in each of the 34 cases, the licences were granted to persons not usually resident in Trinidad and Tobago.

Studies conducted by the Ministry of Tourism revealed that the average amount spent on a wedding/honeymoon vacation is approximately US $3,256. based on an eight-day vacation. It is estimated that if Trinidad and Tobago could win at least 0.1 per cent of the Caribbean's share of the wedding/honeymoon segment of the industry, which is some 34 per cent of that of the United States honeymoon market, the revenue potential would be in the order of US $5 million from tourism.

This Bill, therefore, which facilitates a marriage between non residents after a minimum period of three days can only be viewed, in my respectful view, as a positive step in promoting Trinidad and Tobago as a tourist destination in wedding travel packages.

In this way, I respectfully submit that Trinidad and Tobago can benefit tremendously from the profits that would thereby be gained both in terms of the inflow of income as well as in terms of the consequential creation of increased employment opportunities which will be necessary to service an increase in the number of tourists.

In closing, Mr. Vice-President, I unhesitatingly recommend this Bill to this honourable Senate.

With respect to the question raised by Sen. Mahabir-Wyatt, when I am winding up, I would deal with the issue.

I beg to move.

Question proposed.

Sen. Orville London: Mr. Vice-President, firstly, let me on behalf of the Opposition Bench join in congratulating our esteemed President of the Senate who is now, of course, acting President of the Republic of Trinidad and Tobago.

On a more sombre note, we join in extending sincerest condolences to Minister Mark on the death of his sister, Patricia, and to our parliamentary colleague, Minister Nicholson, whose mother was buried in Tobago last Tuesday.

3.15 p.m.

Mr. Vice-President, I am happy to welcome back one of our more charming visitors from the Lower House, but I must state that I think it is unfortunate and, in fact, quite insensitive that the Bill before us was not put out for public comment, or that, at least, strenuous efforts were not made toward meaningful discussions with all the major interest groups.

Over the last week I have been talking to hoteliers, marriage officers, and other interested parties in Tobago, about this particular Marriage Bill. What impressed me about the responses was the sincerity and passion with which various groups supported divergent views. I am suggesting, Mr. Vice-President, that when respected and influential groups in the society have such divergent views on an issue, any responsible government has a responsibility either to talk to them, or to ensure that they talk to one another.

What I would like to do this afternoon, Mr. Vice-President, is to walk you through some of those discussions so that you can get an idea of how strong the arguments are on each side and to see whether, at the end of the day, we cannot persuade the hon. Minister to withdraw the Bill, put it out for public comment, and let us come back here and have some meaningful discussions.

I spoke to two of the leading hoteliers in Tobago, among others, and both of them were highly enthused about the benefits to be derived from the measures under the Bill, some of which were already alluded to by the Minister. As one of the hoteliers indicated, the wedding/honeymoon sector is, in fact, one of the fastest

growing sectors in the industry; and I agree that other Caribbean islands are benefiting from this particular type of tourism.

The hotelier indicated, and I agree, that it is an excellent revenue generator. In fact, he indicated that the bride and groom normally travel with a large entourage. They spend lavishly for the reception and in some cases they stay on for long periods. He indicated that, because of the romance of returning to the island in which they were married, there was a high incidence of repeat visits because a number of them come back, and even some members of their entourage also come back on their own. Of course, one of the factors which is most important, and I am going to come back to this later, is that in comparison to other kinds of tourism this particular type is fairly easy and inexpensive to market. It is a more focused kind of marketing where advertisements are put in bridal magazines, and so forth, and gains will be noticed very quickly. This is a very critical point, to which I will come back later.

Another hotelier mentioned the local spin-offs and the kind of fillip which this particular type of tourism could give to caterers, designers, entertainers, taxi drivers, florists, and so forth. That is one side of the coin, and I do not think anybody can dispute that that particular type of tourism is, in fact, beneficial to Caribbean islands.

But let us look at the other side. What do the marriage officers have to say, especially those who are priests? One marriage officer indicated to me that he felt particularly insulted that such a Bill could have reached this stage and nobody in his denomination was, in fact, consulted. He insisted that marriage officers are active players in the exercise, and that something which changes the whole concept of the arrangement for marriage so significantly should not be introduced, except where inputs were requested and, of course, made from marriage officers.

He stated that there were legal as well as ethical reasons for the institution of what, as the Minister mentioned was, at the minimum, maybe a 10-day limit. He mentioned that he could be jailed for flouting that 10-day limit because, in his opinion—he is not a lawyer—but he felt that it was during that 10-day limit that a number of matters could be checked out, for example, the validity of certain claims made by the individuals. He wanted to know whether three days would be enough to verify the credentials. One cynical marriage officer even expressed the point that if the major focus seems to be encouraging people and comparing, and if you are going to prostrate yourselves, why three days, why not one day? If you

really want to compete and the minimum number of days is one day, why three days?

Because, basically, what is being indicated, according to him, is that we are prepared to ensure that we cater to the wishes of the visitor. So the point about it is, why not go all the way?

I think the major concern of these individuals was whether we are not running the risk of trivializing the institution of marriage; whether we are not sending a very unfortunate signal, especially to our citizens, but also to the rest of the world, that at a time when we are preaching that a stable family is the bedrock of society, we are undermining some of its basic tenets.

There is a tendency among many of us to feel that what happens in the tourism industry, as long as it only relates to the visitor, does not necessarily impact on the rest of the society; and the marriage officers to whom I spoke — and notice, I am not introducing myself here—have a serious problem with that, and drew numerous examples where behaviour patterns and signals sent by visitors had a significant impact on the society. Because, if you notice, in the discourse of the Minister the focus has been on the economics and the financial benefits. That is well and good, but I do not know if we are comfortable with a situation where our decisions are based primarily, or maybe solely, on financial considerations. This is one of the problems which the marriage officers have.

He indicated that the solemnization of the marriage vows is not an isolated act; it is really the culmination of a process which entails counselling, enforcement of the canons of the Church—especially those pertaining to family life—responsibility to children, and so forth. He is saying that three days to do this kind of thing makes a mockery of this process. I want to make the point, as one Anglican priest indicated, that even in some of the Caribbean islands mentioned, serious concerns have been expressed about what one critic claimed was, and this is a quote, "a growing propensity on the part of Caribbean governments to sacrifice even their most sacred values on the altar of the tourist dollar."

I wish to draw your attention to the Anglican Bishop of Barbados, Rufus Brown, who instructed his clergy not to marry individuals on the beach or any area outside of the church precincts, because the whole concept of marriage was being undermined. In other words, Trinidad and Tobago is not the only island grappling with the problem of how far back we bend in order to ensure that we squeeze everything out of the tourist industry. We have to make a judgment call.

The point I am stressing, and which I will continue to stress is, that you cannot make a proper judgment call except you have the inputs of the major players; and I have a serious problem that we are debating this particular issue and so many of the

people out there are claiming that they did not have an opportunity to make a contribution.

There is a general argument made that we are, in fact, subverting traditional standards, and trivializing our social institutions for what might, in fact, be illusory gains. I want us to ask ourselves: have we really taken time off to evaluate the real financial benefits to be derived from reducing the residential requirements for non residents to three days? Let me explain.

3.25 p.m.

Tidco has already launched a marketing campaign geared towards increasing the numbers of visitors in the marriage/honeymoon category. Now, bear in mind that that campaign was marketed under the old provision, and if I am to use the figures put forward by the hon. Minister, I will come to a different conclusion. The hon. Minister indicated that last year there were 40-odd of those types of weddings in Tobago; this year there are already 30-odd of those types of weddings in Tobago, with the present provisions. One has to ask oneself, therefore, bearing in mind that the height of the tourist season is October to December—so we have not reached that yet—what was responsible for the increase. Was it the number of days, or was it the kind of marketing? Is it necessary to drop the number of days? Because if just by improving your marketing strategy, based on the data given to us, you are likely to increase the number by almost 100 per cent, or maybe more—because, as I said, you have not factored in those three months—is it necessary for us to decrease the number of days? I think somebody should bring some information on that to us before we are asked to make a judgment call.

I am also very concerned, because one hotelier indicated to me that his ballpark figure, if this really works well, is about 150 couples, and that is a man who has been in the field for 20—30 years. Now based on the figure which the Minister has given us, this year we can well see about 80—90 couples. I am suggesting that we might have reached saturation point even without lowering the number of days. I am suggesting, therefore, that we should examine whether

aggressive marketing would not give us almost the same kinds of benefits without having to cater in this obscene way to the needs of the visitor.

Then one has to ask about the kind of information given to us about the benefits. How does this information compare if you are looking at the 10-day tourist against the three-day tourist? Now, if somebody comes down here for 10 days, you at least guarantee that under the old provision that they must stay for at least 10 days in Trinidad and Tobago. One of the things that we are certain about

is that we have obtained revenue from every one of those 80 people who came last year, and every one of those 40-odd people who have come so far this year, for a minimum of 10 days. Because if they were not here for 10 days, they could not get married.

I am wondering whether anybody did the necessary research to find out what is the average length of stay of a visitor who gets married after one day, two days or three days, and whether, although you might increase your numbers, the number of days which the individual spends might, in effect, mean that your total revenue collected is less. I am saying, therefore, except we get this kind of information, except we get evidence that the Minister has done this kind of research, we must be very sceptical about the figures.

I do not know whether information was gleaned about this, but what type of clientele do we attract? Is there a difference in the type of clientele that you will attract with a one-day marriage provision, as opposed to one with a 10-day marriage provision? In a scenario where the Minister of Finance has indicated that as far as he is concerned, we, in Tobago, must ensure that we do not get the backpack type of tourist, one has to ask whether we are not, in fact, encouraging this kind of tourist with this kind of provision. As I said, I do not know, but except you tell us that you have done that kind of research and that you have come up with the kind of information that will make us feel comfortable, I am saying that this particular Bill is premature. That is the point I am making. Because we have to be serious. We are dealing with a very fragile industry; fragile from the perspective of the visitor, and also from the perspective of the resident. We have got to understand that the Tobago society can be seriously influenced by the decisions which we make at this point in time.

If, therefore, one has a choice of waiting six months to make a right decision—even if it is the same decision—I am suggesting that it is better to do that than to make a decision now which can have deleterious effects on the Tobago society. So again, I am repeating, let us revisit this thing; let us send it

out for public comment; let us get all the players; let us do the research and let us make a decision with which all of us are comfortable.

I am also suggesting—as I said, I am no lawyer—that while the Government is doing that, it might be possible to deal with the concern about marriages which is being expressed by certain residents in Tobago. There are some incidents—maybe too many to be coincidental—where foreigners have come in, got married to locals (normally female visitors getting married to local males) and at some point in time

the marriage is dissolved. The local male goes one way and somehow the land ends up in the hands of the former visitor. As I said, I am no expert, but I am suggesting that sometimes we have to protect people from themselves. Therefore, when we are looking at the Bill again, as I suspect that we would, what we would do is also to factor this particular concern and see whether there is anything in our laws which makes it easier for this kind of activity to be conducted.

I am also suggesting that the bringing of this Bill at this point in time brings me back to a problem which I have with this particular administration, a feeling that if you bombard us with bills, for some reason a signal would be sent that "we are working hard and we are achieving things." I have a little problem with that. Because when you examine the budget statement of the Minister, there were many more fundamental things having to do with tourism which could have impacted on tourism. I remember when this particular Marriage Bill was mentioned, we laughed. It was not considered a serious thing. What made us open our eyes is when he spoke about the open-skies policy. For some reason there is a strange silence about that. I would have been much happier, leaving Tobago to come down here—

Mrs. Persad-Bissessar: Would the hon. Member give way? I wonder if he would be kind enough to mention what he recalls as the more fundamental things in the budget statement that had to do with tourism that are not being addressed.

Sen. O. London: The most fundamental thing, as I said, had to do with the problem of transportation, because transportation is linked to rooms. If we understand tourism, we will understand—and again, it is the holistic approach. We have to understand that the number of rooms is linked to the airlines and whether they are going to bring people to Tobago or not. It is a whole cycle. So that as far as I am concerned, the most important factor is that of the open-skies

policy, or at least some policy on bringing tourists to Tobago on a regular basis. Everything else is hinged on that. Investment will be hinged on that.

So the point I am making is that I am not too comfortable, having to stand here, to really spend so much time on something that I consider to be particularly premature. I took this method of presenting my discourse because I wanted Senators to understand how divergent are the views. I wanted Senators to understand how the introduction of this Bill could, in fact, create unnecessary problems in Tobago, because up to this point we have not got any evidence to indicate that if the Bill is introduced it is going to bring substantial financial benefits when compared to the other provisions.

Except we have that, we do not have to deal with the moral and ethical issues. Even if that is the case, we have to make a judgment call as to how far we bend, or go back, in order to cater to the needs of the visitor. Every country has to make that decision and every step back one makes is a step that is lost permanently. I am suggesting that the time spent in collecting and collating information which would benefit the country is not time wasted.

3.35 p.m.

Mr. Vice-President, in conclusion, I—and I think all of us in this Chamber—would support any measure which would improve the conditions of all our people and, of course, encourage the development of the tourism industry. Now is not the time for us to make a definitive decision on this issue as there are too many unanswered questions.

Thank you, Mr. Vice-President.

Sen. Prof. John Spence: Mr. Vice-President, as I think I have said in the budget debate, I am extremely unhappy about having to change as fundamental a thing as our marriage laws to suit the convenience of visitors to the country. More than that—and I think the hon. Minister gave us this opportunity by the way she introduced this Bill—it is clear, and I entirely agree with the position that Sen. London is taking, that before going into a measure of this sort, one should endeavour to determine what policy one has with respect to the sort of tourists that one is trying to attract to Trinidad, but more specifically to Tobago.

Clearly, the environment in Tobago, as Sen. London has pointed out, is a fragile one. Nothing could be easier than to destroy the very attractiveness of

Tobago to tourism by the wrong decision with respect to how we should proceed. So, it seems to me essential that we have a view of how we should develop. I have no doubt that this measure would be of benefit to certain hoteliers in Tobago. I am not convinced that it would be a benefit to the majority of hoteliers, certainly not the smaller guest houses and so forth. One or two large hotels may benefit, and one is tempted to suggest that perhaps the urgency with which it is being pursued is because of this fact.

For three years now I have tried to persuade two successive governments in Trinidad and Tobago to take a different view about tourism in Tobago. I have shared my position with the hon. Senators from Tobago—Government, Opposition and Independent. I started by trying to propose that Tobago be considered in a certain way before tourism is developed, namely that we should think about conservation first and how tourism fits into conservation in that island. Ironically, the present Minister of Tourism was then the Minister responsible for tourism in a previous government, and so my task started three years ago with him. Repeatedly, since then, I have knocked at the doors of successive governments and ministers. All the persons that I have spoken to agreed that one should look at Tobago in this way before developing tourism.

Yet, Mr. Vice-President, the suggestion that we should do it has never been implemented. We got as far as having the Inter-American Development Bank agree to a proposal that they should fund a study to do with conservation in Tobago as it relates to tourism, but because of some bureaucratic problems with respect to conditionalities of disbursement of the ground, this has not happened. Every time I see the Minister of Tourism in the Senate I enquire about this process, and always I am told, next month; I telephone to the permanent secretary and Tidco and always I am told on the 18th of next month. So each month on the 19th I telephone and hear it is postponed.

This just illustrates the fact that we would not get down to seriously considering what sort of tourism we want in Tobago. I venture to suggest that we do not want the marriage and honeymoon type tourist to be necessary when there are alternatives that may be much more attractive; much more sustainable in the long term and much more beneficial to the people of Tobago.

What I think we need to do is to look for the older tourist, a more serious tourist, who has a bit more money to spend, not just for a flash and a wedding, but to spend because he is interested in the island; interested, perhaps, in conservation. Asa Wright Nature Centre has nearly 80 per cent occupancy

throughout the year and they do not advertise in a normal tourism media. They make their presence known by articles in nature magazines. I invite any Senator here to visit the Asa Wright Nature Centre on a Sunday to have lunch and one would see how tourism could develop in Tobago without interfering with the environment, either with the people or the country itself.

Here we have local food always served; not steaks flown in from Texas or wherever. We have the interest of persons who want to come here because of our natural history, and the same would be true of Tobago. It is not cheap at the Asa Wright Nature Centre. The fees are as one would expect in a tourism hotel, yet

one is not getting the sort of accommodation that one gets at the Hilton or the Grafton, but people are willing to come and have that sort of accommodation and pay for it because that is the sort of tourist that would want to come and look at the natural history. If one multiplies that small unit so many hundred times in Tobago, how much more beneficial it would be to the country where these little developments take place within the natural environment and not obviously destroying large areas as one would have to do if one were building a 250-or 500-room hotel.

Look at the issue in Tobago now with the development in Low Lands where the environmentalist is extremely concerned about the changes in the moon that might occur. What you would find at the Asa Wright Nature Centre is every attempt being made to maintain the natural environment and to enhance it rather than to remove it in order to build some different facility that a certain type of tourist would want to have.

So, I agree entirely with Sen. London. I am unhappy about changing a thing as fundamental as our marriage laws for the convenience of visitors, especially when I suspect that as far as the convenience goes, the benefits would be to a particular investor and not generally to the hoteliers in the two islands.

Certainly I am of the view that we must be very careful about the tourists that we invite to Tobago, because we can destroy very quickly the attractiveness to the very tourists that we want to attract. We would have kept away the others and we would find that the ones that we have attracted in the short term would not be there in the long term.

Mr. Vice-President, I seriously suggest that we spend our time addressing the sort of policy we need for tourism in Tobago rather than putting our efforts into bills of this sort.

Thank you, Sir.

Sen. Nathaniel Moore: Mr. Vice-President, I am tempted to begin my contribution with a certain statement I have here which was inspired by a statement made by my colleague on the other side from Tobago. The statement I have here is this: "If the Bill would bring insurmountable problems to Tobago I cannot support it." That is the statement I wrote here a while ago as I sat and listened to my colleague. I do not know what concepts are in the minds of people about who or what a Tobagonian is, but what I know is that I am one, and if you really want to know who or what a Tobagonian is, perhaps one can follow me around.

3.45 p.m.

I do not think that this Bill necessarily will bring insurmountable problems to Tobago beyond the problems which other measures for tourism have already brought. Not that I am saying if it is bad, it can be worse. I am not seeing the great problems that others are seeing.

I remember while we were discussing the budget debate that Sen. London did say he welcomed the suggestion of this reduction of time for marriages in the country. He thought it was a forward move by the Minister

Sen. London: Would the hon. Senator please give way? On a point of clarification. I remember distinctly stating that I will support the Bill providing that the concerns of the religious groups are taken into consideration. I have remained consistent for seven months.

Sen. N. Moore: I do not know at what point. I am talking about the discussions we had on the budget debate. I was reading it just this afternoon, and I did not see all those exceptions. In fact, the Senator did not elaborate much on it but he welcomed the measure. He has elaborated much more today. In fact, I understand the stand he is taking today is in the light of discussions he has had with people in the community. I noticed two important areas of the discussion he had with the people, one with the economics of it, which sounds very nice—I think that people must think about it very seriously—the other is the moral or religious as we say it. This could be applied to any place. I imagine there are many Senators who would stand to make objections on religious grounds. I must

also state that although I am a Tobagonian, I am also a very religious person. It is how I see it. On the grounds of the economics and religion of it, I would like to say a few things. In fact, before I go into that, let me touch a few points.

The idea of consulting the people of Tobago is a good idea. Before I go further I would say that it is because the Bill would have some kind of direct effect upon life in Tobago, is why I am linking it in this way. What we are speaking about is not tourism as such, although it is linked to tourism, but we are speaking about the Marriage Act. But, of course, we are altering it to facilitate some areas in tourism. That is the spirit in which it is brought. I did not necessarily see it in that full way although I know it will affect tourism to some extent. Indeed, the idea of consulting with people about measures one wants to take is a good one. It is considered that the change that is suggested in this Bill is considerable. I do not know what is the meaning of the word "considerable" here. I do not think it is a great change as such. If I remember we are reducing two particular areas. One is

from a seven-day notice to a three-day notice and certain notices we were going to post, we are not going to post anymore in this case. Certain provisions similar to that existed before, where one could have gotten a special dispensation to have a quicker marriage.

We are saying that, perhaps, there is not enough time within those three days to check the *bona fides* of the people who want to solemnize their marriage at this time. This also links in with what one speaks about undermining the marriage and the risk of trivializing marriage. The reference was brought through this Barbados thing where someone is against marriage on the beach as undermining the solemnity of marriage. Some of these things are how we look at them.

What I learnt about solemnity, perhaps much of it has to do with us. People talk about reverence here and reverence in church and they lay down a long line of what one must do to be reverent. Some of the items on that list about being reverent, I do not understand them at all and I have been going to church from the time I know myself. In many cases we are making God in our own image rather than considering that we were made in God's image. Very often we tailor what we do and think that God should do what we think he would do, and so we prescribe for people what we like to see done; and say that God would like to see you do it like that. That is one thing I could not understand in all my growing years about sanctity and reverence.

I am putting it to this Senate and to the country that seven days are not enough either to do this pre-marital counselling that these Ministers are so concerned about. Some say three days are too short and I am saying seven days are not enough either.

I know one's growing up years before marriage is preparing one for marriage. I am saying that everything done in your home, church and elsewhere, as you look forward to getting married, influences your life and your preparation for marriage. I cannot see the difference between three days and seven days being too short to check out the *bona fides* and to counsel for marriage. I know that counselling is a very vital part in preparing people for marriage. I am saying this counselling must go on for weeks and even months. In fact, I know in my church people who are contemplating marriage and they have identified their minister, he counsels them for months. Not for seven days.

Sen. Prof. Spence: Mr. Vice-President, I wonder if the hon. Senator would agree with me that it would be very much better for people to get married in their

countries where they can be so counselled and then come here on their honeymoons?

Sen. N. Moore: I take it for granted they have been counselled at home and they come here just to solemnize the marriage. I do not think that people go to Tobago to live, to bring up a family and to know what are the good things one must do if one is to get married. I think one would have done that at home where one would have been growing up with that. That is what I expect our religious people to be doing. Counselling one's members at all times about how they must prepare for living, how they must prepare to live with people and to raise a family so that we have good stable families and respectable citizens, not for seven days or a few days before. I think this is the big problem with religion. When I say this, I am not aiming after any particular religion or any particular minister. I am speaking about this tendency of religion in what we call this modern day, that is to celebrate. We attend church at one particular time of the year because we get a blessing on Good Friday or we observe the birth of Christ at Christmas time. We celebrate more than worship.

I think it is a very weak point to talk about the difference between seven days and three days as to checking out the *bona fides* of these people and to pre-marital counselling and so forth. I believe counselling must go on over a very long period before. I am sure that those of us who have the experience, particularly the

religious persons at ministerial level will bear it out here. The people who grew up in one's congregations and the people whom you have been able to counsel over the years and whom you saw grow from childhood to manhood, when they marry they have a more stable and better marriage than those people who come in to make an appointment a week or two before marriage. In fact, sometimes we do not see them again. But in our church there is a time to monitor those people who are growing up in our congregations.

3.55 p.m.

In essence, I am sure you would agree with me that those persons who have been counselled through the months and years are the ones who are most likely to provide stable families in the community.

I did not like the reference or likening the introduction of this Bill and what it intends to do as being "obscene". All we are doing here is shortening the time to facilitate a process. We are not actually encouraging any kind of moral decadence or the breaking of any religious rules. This idea of time is in terms of convenience which we have put over the years. I do not see anything obscene about it.

Sen. Daly: Mr. Vice-President, I wonder if based on the Senator's argument, whether he would agree to reduce it to three days for everybody. Why is the advantage for foreigners?

Sen. N. Moore: Perhaps I am guilty of not trying to stress enough on that. I am saying again that it would be neither here nor there. That makes it a little more important for us that we are making the measure particularly for visitors and not for our people. I think the idea is to preserve the comfort with our own people. Perhaps we may not see anything wrong with it, but because so many people made a howl in the past for no reason, we say let it stay here because it may not do us any ill. For me particularly, three days or more is immaterial.

I said before that the long period of counselling is more important. Of course, I recognize that there are certain things in a society which we need to check on. I agree with the Senator that no number of Bills would make our society better or improve our status. Some of the Bills are necessary. It is important to have the provisions of these Bills enforced so that we could have the kind of effect we want. I do not think that this Government is just multiplying Bills to give the impression that it is working. If one looks at the types of Bills one would notice that the amendments are to plug certain loopholes which did not permit the enforcement of some of these laws and about which people have complained in the past. Please consider that the amendments are intended to make the law more

effective and not to make an appearance that we are working. We would be fooling ourselves if at the end, after we pass all these Bills, we do not see improvements in the situations we are trying to correct.

I admit that I have been beating about a while in certain areas, influenced by what was said before. I have made some jottings which I intend to look at now. According to the Scriptures marriage was ordained by God. Remember that there is a certain quotation from the *Bible* which says that "therefore shall a man leave his mother and father and cling to his wife and they both shall be one flesh." The point I am making is that the idea of marriage is biblical. The emphasis here is the oneness or the unity between the people who are contracting this marriage.

Our society is really a religious one. Hence the reason for all these observations of the Senator. Some religious people are also marriage officers. Most people prefer to solemnize their marriage in a church building, temple or mosque. The theologians and the religious historians may tell us at what time and why the society or the state began to play such a vital role in marriage.

What I remember from my *Bible* and the examples we have there is that what a man did, such as Cain, was to take a woman to become his wife. Samson saw this woman and he said that she pleased him well and he took her as his wife. Perhaps we are saved some of the details of the ceremony. I have noticed in the Scriptures that more emphasis is placed on the social part of it than the religious. I am challenging our preachers and religious people to check it out in the *Bible*. Even when Jesus attended the wedding feast the people said that the good wine was not brought for them earlier. The *Bible* is silent on what actually happened to solemnize the act.

With all that the *Bible* tells us we know that the church had something to do with the marriage of people. As religious as this might be, the state has come in and is playing an important role. As I said before, I would like some theologian or biblical historian to tell me at what time the state began to take this important role in the marriage of citizens, or having to dictate or make regulations concerning the solemnization of marriage. The idea of the state having a part is not so strange. I remember that when the greatest teacher Jesus, was confronted with some kind of conduct in which people were questioning whether that was religious, irreligious or civil, he made a great pronouncement; "Render unto Caesar the things that are Caesar's and unto God the things which are God's",

which gives the impression that there is a place for the state and perhaps the state is playing its role here.

4.05 p.m.

Why does the state have such great influence in so sacred a thing as marriage? Because, I believe, it springs from similar conditions which exist in our own country. In our society today we have so many different religious denominations. There are Christians and non Christians, and among the Christians there are many denominations. The Muslims, again, are broken up into so many different sects. It seems so to me in the Hindu religion, too. I am not sure.

If there are all these competing religious forces in the community and there is freedom of religion, then there could well be problems. So we can see why the state must come in to do a few things. While we do appreciate the concern of some of the people in the religious centres, I am sure that we will agree with Jesus

that there is a place for the state and its intervention to regulate and arbitrate, not only the forming of the marriage bond, but also, sometimes unfortunately, in the dissolution of the bonds themselves.

So, Mr. Vice-President, some people want to be unique and so they prefer to come to a foreign country to solemnize their marriage. Some, when they go there,

even want to go under the water. Some want to go into a cave and some under a special tree and so forth. I think this Bill will make some provision for those people.

The intention of this Bill, Mr. Vice-President, is not to give licence to immorality or even flippancy, but it is to shorten a period of notice to avoid having our guests spend too long a period of time to realize their dreams, or to prevent their avoiding our country because they cannot spend seven days on our island as is now required. We expect them to make all normal plans for marriage; that their counselling will be done before, and they will come to our shores prepared so that they will not be entering into marriage lightly. We do not want them to do anything wrong, so we do not want to encourage them to do anything wrong—things which will be hurtful to themselves or to our society. We simply want them to solemnize their marriage in a beautiful place which will leave them with fond memories.

We realize at the same time that if we encourage them to come it could earn us some money and I do not see anything necessarily wrong with this. It is not that we are earning money at the expense of the morality of our people because, as I have emphasized before, we take care of that otherwise.

We realize that there is a need for serious counselling before these people get married, but we expect that they will be responsible for seeking counselling long before in their own country.

So, Mr. Vice-President, as I said, the church has its place and its role to play in the preparation of its members for the organization of the family. As we said too, we cannot deny the state its role. We, as religious people, must insist that the state does not intrude upon the area which rightly belongs to the Church—the idea of the separation of Church and state. There are people who do not give enough credit to the work and the influence of the Church, but especially in the field of education in our country, the Church has played a major role in our community. We know that the problem of indiscipline in schools is better handled by what we call the denominational schools than by the Government schools. I am sure that the influence that these children get from these denominational schools would be carried home and the influence reflected in their conduct.

If both the state and the Church are working for the improvement of the society, we expect that their efforts would complement each other rather than compete. When we meet in areas like this, it is the opportunity for those of us who believe in the value of the Church to state clearly what we think the role of the

Church is and the way we can influence our government to work so that steps can be taken to improve the moral and spiritual life of the society.

Some time ago we heard that God was punishing some leaders in this country, and perhaps a party, by causing them to lose power because they countenanced something which was perhaps sacrilegious, giving the impression that God would be using people like me to punish people for their irreligious behaviour. I do not believe that, Mr. Vice-President.

Sen. London: Mr. Vice-President, I was hoping not to have to intervene, but I would really like you to rule on the relevance of the Senator.

Mr. Vice-President: *[Inaudible]*

Sen. N. Moore: Mr. Vice-President, I was thinking really about how God intervenes in terms of the godliness of people and how he may use those people to help our society. Some people thought that God was even punishing the society by using some kind of godly or religious influence. The point perhaps is better stated that we must use our religious influence to build the society and we must work hand in hand with the Church and the state to develop our society.

I think this is the step that we are taking, not that we want to be destructive of anything that the religious people want to do; it is not that we want to demoralize our society or introduce measures that will work ill, but we are trying to do something to raise the necessary finance for the development of our country while working also to improve the life of our people spiritually.

4.15 p.m.

Mr. Vice-President, I commend this Bill and I do not see any need to defer it for any time. In the future, perhaps other measures might be taken to supplement this so that effective measures would be taken to raise the necessary finance for our country and also for the proper upbringing of the people in this country for the moral and spiritual well-being of our society.

I thank you Mr. Vice-President.

Sen. Nafeesa Mohammed: Mr. Vice-President, I am really baffled here this evening. For some time I wondered whether I was really sitting in this honourable Chamber as a Senator or whether I was perhaps in church or elsewhere, maybe in St. Ann's. Mr. Vice-President, I am really confused as to what really is the

Government's position with respect to this particular Bill. Sen. Moore has certainly spoken more in favour of the sanctity of marriage rather than the economics of this particular measure and perhaps it is a very good indication of what is happening with the coalition partners. It is very conflicting and I trust in God, and I think God will really have to intervene to save us in Trinidad and Tobago.

I was very pleased to see our former, first ever female Attorney General in this august Chamber here this afternoon. It is really a refreshing and welcoming move. I expected the hon. Minister, in introducing this Bill to emphasize more on the need to reform our marriage laws in Trinidad and Tobago, but instead we heard the lengthy arguments about the economic benefits that this amendment will bring particularly to Tobago with respect to the wedding/honeymoon type of tourist. Not a word was mentioned about the social and religious aspects of marriage. Marriage is indeed a very sacred institution as well as a social institution. It is the foundation of a strong and stable family life and certainly societies would be stronger if family life is strong and stable.

Mr. Vice-President, we in Trinidad and Tobago live in a very mixed multiracial, multicultural, multireligious society and no consultation whatsoever has taken place with regard to the divers groups in our society on this particular Bill which was introduced this evening, and this is a Government that has bragged and claimed to be so committed to consultation. The *Hansard* records are there to show the boasting statements about consultation.

I agree with Sen. Moore that this Bill deals with amending the Marriage Act and not just with tourism. When one looks at the history of our Marriage Acts in Trinidad and Tobago, we would see that the genesis of our marriage laws lies in the United Kingdom's 1753 Marriage Act which is commonly referred to as the Lord Hadwick's Acts. Prior to this 1753 piece of legislation in the United Kingdom, the common law left the regulation of marriages to the church, and under the church law marriages were very simple. Words alone sufficed to solemnize in marriage. The mere words "I do marry you", or "I will marry you" were sufficient to solemnize in marriage. The 1753 Act, however, ended this informal type of marriage and the Act made provisions for church weddings to take place after publishing banns for a certain period of time. This was indeed a very tough Act and around 1836 this was liberalized to some extent in that it permitted some form of civil marriages.

Mr. Vice-President, I have gone into the history of the Marriage Acts of the United Kingdom because in our jurisdiction in the West Indies, we have followed the English Marriage Act to a large extent and we have inherited as well many of the complexities and the obscurities that are associated with the English law relating to marriage. It is a fact that we need to simplify our Marriage Acts and I ask the question: is this Bill seeking to simplify the process?

There are certain objectives that one should strive for when amending the legislation pertaining to marriages and in doing so, one should approach it in a very holistic way. Certainly, one should seek to promote certainty when dealing with marriages, one would want to look at having a proper record-keeping system in place, one may also want to look at ways and means to prevent unsatisfactory marriages.

I want to refer to a bit of learning from a well-known text and I am sure my colleague, the hon. Minister of Legal Affairs, is very familiar with this particular text. It is *Bromley's Family Law*. I want to refer to page 52 where there is a comprehensive statement that was made by the working party that was set up by the Law Commission and the Registrar General in the United Kingdom when reforms were made to their Marriage Act. The specific reference is *Law Commission No. 53, Solemnization of Marriage 1973* and that review started off as follows:

4.25 p.m.

> "We have assumed that the purpose of a sound marriage law is to ensure that marriages are solemnised only in respect of those who are free to marry and have freely agreed to do so and that the status of those who marry shall be established with certainty so that doubts do not arise, either in the minds of the parties or in the community, about who is married and who is not.
>
> To this end, it appears to us to be necessary that there should be proper opportunity for the investigation of capacity and in the case of minors parental consent before the marriage and that the investigation should be carried out uniformly for parties to all marriages by persons trained to perform this function.
>
> We suggest that the law should guard against clandestine marriages, that there should be proper opportunity for legal impediments to be declared or discovered, that all marriages should be publicly solemnized and that the marriage should be duly recorded in official registers.

At the same time, we recognize that a marriage ceremony is an important family and social occasion and we feel that unnecessary and irksome restrictions on its celebration should be avoided.

Moreover, since nearly every person who attains maturity marries at least once and attends numerous marriages of friends and relations and since the marriage creates a status which vitally concerns the public, the law of marriage should be as simple and easily understood as possible."

Today, I thought the hon. Minister of Legal Affairs would have come here to convince us that this was an attempt to simplify our marriage laws in Trinidad and Tobago. But instead, when I listen to the intent and purpose of this Bill, I am really worried about the country in which I live.

Sure enough, facilitating tourism and encouraging profits are noble ideals, but at the same time, I agree with my colleague, hon. Sen. Orville London, and indeed Sen. Prof. John Spence, with respect to looking at other aspects of the tourism industry. My Friend and colleague made the point about pursuing more aggressive marketing policies; not just this type of measure which certainly is designed to benefit a few—maybe, a few hoteliers in Tobago, we do not know.

I ask the question, Mr. Vice-President: when we look at this particular piece of legislation, what administrative provisions are there to prove, for example, that the foreigners who come to Tobago were not previously married? Certainly, this is a measure that can lead to serious abuses. We might say that would not concern us because they are foreigners.

While this Bill may make it easier to solemnize a marriage, what about if the marriage does not last and it is breaking up and there are divorce proceedings being initiated and instituted? What if there are children involved? There are certainly implications with respect to the conflict of laws and the laws of domicile and so forth and we have to take cognizance of this.

Mrs. Persad-Bissessar: All marriages.

Sen. N. Mohammed: We live in a country where we recognize that there are very serious problems affecting the administration of justice and this would only add to them.

It is my view that this Bill will certainly, as it stands now, encourage clandestine marriages. We are all for simplifying the marriage laws in Trinidad and Tobago, but there has not been any mention about simplifying the process. Instead, the emphasis has been on tourism and profits. We believe that if we are

reforming such an important piece of legislation we should do so in a responsible and holistic

manner and the intent and purpose certainly should be a matter of priority in our society.

As my colleague indicated, we have heard about 80 marriages taking place but if the profit and economics argument is so strong, how much more money is it really bringing into our country? It is a balancing act that one has to do—and this is why the hon. Sen. Nathaniel Moore had such difficulty with this particular Bill. If you are a responsible government, you would look at the situation down the road, not just profits for a few but for the society at large, the well-being of the citizens of Trinidad and Tobago.

Mr. Vice-President, it is my humble submission that it is indeed very regrettable that this particular piece of legislation was introduced in this honourable Chamber without any kind of consultation with some of our interest groups. We live in a very mixed society and it is only proper that discussions should have taken place.

I am sure that the hon. Minister herself, who, I know, is a person committed to very strong and sacred family life, may not really believe personally in this profit argument. She has tremendous experience, as well, in the practice of family law in this country. I urge her to influence her colleagues—some of whom may have indicated that they never took any vow of poverty—to stand for principle; good, strong stable family law and family life in Trinidad and Tobago. Let us work towards making laws with good, sound intent and purpose given the circumstances which prevail in our country.

Thank you.

Mr. Vice-President: Hon. Senators, the sitting is now suspended for the tea-break. We would resume at 5.03 p.m.

4.32 p.m.: *Sitting suspended.*

5.05 p.m.: *Sitting resumed*.

Sen. Dr. Eastlyn Mc Kenzie: Mr. Vice-President, as Sen. London has done, I have also canvassed some people in Tobago, and I got almost the same type of response as he did. However, I got some additional responses and when I look at the aim of the Bill, it seems as though, somewhere along the line, there is a contradiction between the aim and the result. Let me explain, Sir.

The aim of the Bill, in a nutshell, is a sort of economic one and geared towards the development of the tourist dollar. Chatting with some of the key players, as Sen. London said, I was told several things. Firstly, that the dollar does not end up

in Tobago. In fact, it is lodged elsewhere. It never even gets to Tobago, because these people buy in their country of origin; the dollar remains there, and what we get is what we call in Tobago the "gribbidy"—next to nothing.

So you see, Mr. Vice-President, it leads one to wonder. In reality what happens? At the airport when a number of tourists land, who picks them up? Another tourist picks up those foreign tourists. So the taxi-driver does not benefit; and the taxi-drivers have complained. I am sure they would have complained to Sen. London. I do not know how he did not mention this. But they have actually complained to me that the job of taking tourists around in Tobago has begun to go to the hotels themselves. They have big buses and do their own tourist trade and, again, take the dollar from the pocket of the taxi-driver.

So you see, Mr. Vice-President, we cannot take the Marriage Bill as a sort of tourism boost in isolation. We have to look at the other things that go to boost it up, and we have to ensure that we plug those loopholes. Marrying in three days, three weeks, or three years is not the problem. It is the benefit that must come from it. If we are saying that if this is something to boost the tourist dollar and develop Tobago, especially in the line of tourism, then we have to ensure that the tourist dollar comes to Tobago.

Mr. Vice-President, another point with this situation is that I keep wondering how the tourists will get to Tobago if we cannot guarantee flights coming from abroad to bring them here. It is so contradictory. We must ensure that we are going to get the people there, so hand in hand with amending this Marriage Act goes also the corresponding action of ensuring that we are going to get the tourists there. If we are not going to get them there, leave the Act until we are sure that we can get them there. This is the type of contribution I would like to make.

The three days/five days/seven days is not as important to me as the fact that we must get what we are supposed to get out of it. If we are not going to get anything out of it more than seeing two people, whom we do not know, get married in the sea or under a tree, then we can do without that. And with or without clothes! Because that has begun to be another thing. I have gone to a beach and have seen foreigners 99.5 per cent nude; and have heard people saying,

"Put on your clothes, we don't do it like that here." And if this is what tourism is going to do to us, we are not ready. We are not ready, Mr. Vice-President!

So I would ask that— in addition to the points made by Sen. London which I also got—we get legitimate tourists who want to come and spend a good and long holiday and enjoy Tobago. We must ensure that our taxi-drivers get a part of the action in getting them to the hotels in Tobago. I want to say also that when they come to Tobago they must pay their hotel bills and everything in Tobago. These must not be paid in a foreign country; and then when they come they just get a package that has been pre-arranged and pre-paid. This is the type of thing that I am against with this Marriage Bill that gives the impression that Tobago is going to benefit from people who want to go there for a day and get married in the next two days. Mr. Vice-President, I would encourage the Government to re-explore what is happening with tourism in Tobago as a total picture, and make the type of arrangements and put rules and regulations in place to ensure that the tourist dollar is obtained in Tobago and spent there too.

I do not think we are quite ready, because the people who intend to marry cannot reach Tobago, so let us be serious and not just pick little things.

Mr. Vice-President, on Friday I met with a group of people. Among them was one who was plugging this three-day marriage and he was very vociferous, supporting it to the full. What he was saying was: well, you know, these people come and he has to do so much to get the licence up and down, and they pay this money to them, and what have you. One fellow just asked him: what does Tobago get from it, more than seeing people marry in a situation that we are not accustomed to? He is still waiting for an answer.

Mr. Vice-President, there is probably merit in getting people to come and enjoy what Tobago has to offer; and, as Sen. Moore has said, there may be no harm whether they marry in an hour, a day, a week, or what have you—or we might probably extend it so that they could come and marry with no clothes on, which might be a sort of "newness" to the situation and encourage more people to come in. If this is what we are aiming for, we must ensure the good of this: whether it is the lessons we have to learn; the discipline we want to instil in generations to come or respect for the law; whether it is financial gain; whether our taxi-drivers must benefit; whether the tourist dollar that is paying for it must come to Tobago—let us reconsider.

Thank you very much, Sir.

Sen. Rev. Daniel Teelucksingh: Mr. Vice-President, I have always had a problem in this honourable Senate, especially within the last few years, when we have been dealing with matters of trade and commerce—tax exemptions. I have been involved in being a participant in so many serious decisions at this level where we always have to make exemptions, and we are always bending and twisting in all directions to accommodate other people.

Here we have a Bill catering for non-resident persons. Mr. Vice-President, you may remember the passion with which I spoke earlier on about matters that are very important on the national agenda affecting the lives of men, women and children of this country. I will continue with that passion, in that same strain and determination against this whole idea of amending our laws, touching our laws, changing these sacred traditions, customs and mores among us to please non-residents. Just as we have been doing the tax exemptions all the time, in all the debates concerning trade and commerce! Why do we have to change our laws to accommodate other people? I have asked that before.

5.15 p.m.

I do not understand, but I feel it is so ironical that we have to be doing this. You talk about different strokes for different folks; I am very worried about the way we do things in this country. Recently I was reading about some screen stars who wanted to get away from state marriage laws in the United States and they found a very easy destination, a way of escaping their state laws. They went to the Dominican Republic and got married. They did not have to worry with their state laws. They found it was difficult out there and they did not want to adhere to the rules and regulations of their own culture and their own people, so they went down to the Dominican Republic and got married. What kind of vibrations are we sending? What signals?

Let me tell you, Sir, we have had a lot of debate here on biblical matters. I do not want to be either theological or philosophical; we had had enough of that. I just want to be practical and pragmatic. The Hindu, Muslim and Christian traditions in this country all look at marriage as serious business. Every religious denomination in this country looks at marriage as serious business. I cannot see why the emphasis now is that it must be used as a mechanism and a device to boost tourism.

I have said so much about this when this matter came up in the budget debate earlier this year, when the question of honeymoon tourism was introduced as one

of the devices that the Government is going to use to develop the tourism sector. I have been heavily criticized and I still remember somebody slamming me in the press saying, if the goodly Reverend does not know that tourism and sex go together. I still cannot understand that. Why do we have to cater to the whims and fancies of those who think that way? I know every Pundit, Imam and Priest in this country will certainly be against this kind of idea and what can be the ripple effect of what we are doing.

The family remains one of the most important social institutions in the world. In Trinidad and Tobago, for sure. I do not think we should give tourists, no matter how precious the tourist dollar is, the impression that our marriage and divorce laws are so easy to circumvent. But this is what we are doing. We are actually modifying the law to suit everybody.

One of the previous speakers spoke about marriage counselling. I get the feeling that some believe it is not important; but marriage counselling is extremely important in our land. Talk to all those who have been marriage counsellors and marriage officers. It is important. I do not think that we must reduce marriage to just going and exchanging vows, but that is what this Bill is doing. Marriage is more than that. I do not think that in our custom and in our tradition in this country that we just think in terms of going and exchanging vows and signing the marriage register. We must not support that point of view, that you just come down from anywhere at all, stand up before a district registrar or a marriage officer, priest or so, and exchange vows. I do not think we should encourage that.

We have been having a lot of weddings in the Red House and in the district warden's offices. These have been so mechanical. I wonder if the time has come—and much has been made in the Bill of district registrars being marriage officers—when we could make provisions for these district registrars to take courses in marriage counselling. I want to compliment the hon. Minister of Legal Affairs for the proposed institution of a family court. We need that; it is long overdue. Since the hon. Minister is pushing that legislation as quickly as possible so we can have the institution of the family court, has she seen the need for something like that because of the breakdown of family life in this country? I notice she has also made mention of counselling.

I would like to strongly suggest that somewhere in the regulations attached to this Bill, since she has made heavy weather of the place of district registrars as being marriage officers, that they receive some kind of instruction in marriage

counselling. That is very important. I do not think we should take it for granted that these non-residents who are coming here to get married, have had it. Divorces in other parts of the world are frightening. I know we have it here; it is a problem
already, but I do not think we want to let it get worse or out of hand. Let them know that we have a standard, and that is most important.

I have a feeling that after hearing the Senators who reside in Tobago and who understand the Tobago situation—and they are all saying that maybe this Bill is premature, and so on—that I do not want to support this Bill. I have a feeling that something is wrong with this Bill. Was this Bill out for public comment?. It is too serious. It is going to weaken what you are doing in terms of the establishment of a family court.

Looking at the crime situation, for example, why is it that so many of our teenagers are offenders? Why so many young offenders? We are looking for answers, whether it be the Government, the school, the religious organizations. You know fully well, all the fingers seem to be pointing at the home. That is important. People are looking again for answers at home. Why so many broken marriages? Why such a very high percentage of young offenders come from broken homes? What can we do to keep these marriages? That is so very important. It has to do with the wedding; it has to do with counselling, maybe. I agree with Sen. Moore, not only the few days before marriage but who knows, from the cradle we must be preparing our people for greater responsibility.

I do not think at this point in time I am in any mood to support this Bill, especially since I see it as another way of bending and twisting our laws to accommodate other people. I certainly have a problem with that.

I thank you very much, Mr. Vice-President.

Sen. Rev. Barbara Gray-Burke: Mr. Vice-President, as I sit here, all I am hearing is about Tobago, but I am reading here this non-resident person wishing to marry in Trinidad and Tobago. I think the consensus is that it is only Tobago. I welcome this amendment to the Bill with all my heart and soul, because in past years, there was always some sort of red tape which caused many delays for persons coming from abroad to be married to their loved ones.

I will give you my personal experience as a marriage officer. This is one instance, but there were many. I had an attorney-at-law whose concern was that I perform the marriage. His loved one was studying in the United States of

America. We had to postpone the wedding and the bride-to-be had to return to America. Later on in the year, she had to return when I had everything in place for the marriage—

Sen. Prof. Spence: Mr. Vice-President, am I to understand that one of the persons was resident locally?

Sen. Rev. B. Gray-Burke: Yes.

Sen. Prof. Spence: Well, I do not think that this Bill applies to that circumstance.

Sen. Rev. B. Gray-Burke: Mr. Vice-President, marriage is sacred and we cannot condone common-law practices. It is better for the people to get married than just come to our shores, fall in love at first sight, as the case may be, and leave our shores leaving children behind out of wedlock.

5.25 p.m.

I believe that Jesus the Christ went into Canaan and met the marriage; he took water and turned it into wine; he blessed the bride, the groom and everyone there and said it was good.

Mr. Vice-President, I must congratulate the Minister of Legal Affairs on this provision for non-residents because for many years this country has had the experience of children having to live without fathers. I do not know if many of us are taking a serious look at the fact that these children remain here to be a problem to the state. In amending this Act we would have a unified and dignified society in which we can live a life pleasing to God. This is what I think.

We are moving into the 21st Century so we have to change with the times. Obtaining a special licence at this time would encourage tourism in our land; we need our land to be productive. What I observed in the arguments is that we are not looking at the times in which we live. We are not living in the darkened age gone by. Many things can change and have changed. Since things have changed we should be able to adapt ourselves to changes. Other countries are ahead of us. Here we are fussing about a matter about which countries in the Caribbean and elsewhere, are far advanced. While we are here harping that they are a long way ahead of us, we are saying we can compete with the Third World.

Mr. Vice-President, I commend the Minister of Legal Affairs because it is the system of things. If one puts something here it is how one looks at it and uses it

that would be productive. If one abuses it then it would not be productive, but if one uses it in the right way we will get a lot of virtue out of it.

I thank you, Mr. Vice-President.

Sen. Dr. Eric St. Cyr: Mr. Vice-President, I want to make a very brief and sober contribution to the debate.

In the budget presentation when we first learnt of this proposal, it troubled me, and six months later I am no less troubled. What we have heard is that there are some probable short-term economic benefits coming through the tourism industry,

and we just want to emphasize that this Bill is not applicable to residents; it is for non-residents.

My concern is that we are gradually undermining some of the moral foundations of the society. In this instance we are taking a very slight tackle at the institution of marriage—very slight—but they tell me that water falling drop by drop pierces the hardest rock. So that, we, the elders of the society, have a responsibility to point the nation in the direction which is not dangerous to its self-destruction in the very long run.

My major concern is that we are undermining the seriousness of the covenant of marriage—and I emphasize "covenant"—by undermining the notion of a covenant and making it that one can enter into it in three days.

Many foreigners coming here would have known each other for a long time and these would be proper marriages. Those are all right, but there are going to be persons who would have met on the plane; we do not know. The society in which we live would be seeing these things and in the next 25—50 years that would be what they have got used to seeing, that marriage is no longer an institution to be entered into soberly and with utmost care.

I dare say that it seems to me that a move in this direction contradicts the Constitution of this country which acknowledges the supremacy of God and here is one of the main institutions in the society, the family, founded on a covenant relationship in marriage.

So, my responsibility today is to say that we should not do this. This is where I stand.

I thank you, Mr. Vice-President.

Sen. Deborah Moore-Miggins: Mr. Vice-President, I do thank you very much as I rise in support of the measure which has been so ably moved by the hon. Minister of Legal Affairs this afternoon. I also wish to congratulate my colleagues, Sen. Moore, and particularly, Sen. Rev. Gray-Burke.

Mr. Vice-President, as I listened to what emanated from the other side for and on behalf of the people of Tobago this afternoon, I was forced to conclude that those people were being done an injustice. I was forced to conclude that perhaps our years of subjugation to a bigger sister island had done more irreparable damage than is admitted, in that I am getting the impression that now that Tobago stands on the threshold of benefiting from a measure geared towards at last creating an economy for Tobago, people have become afraid. *[Desk thumping]*

They have become afraid of potential greatness; of potential independence; of potential autonomy and because of that, spurious reasons and excuses are being proffered in order to turn back a measure that can only inure to the material economic, and I dare say, spiritual upliftment, of the people of Tobago.

5.35 p.m.

Mr. Vice-President, I am not going to say I consulted with anybody in Tobago. I did not do it and I do not propose to lie. Leaders have to have that instinct to guide the flock. Many times changes are not seen by the rank and file as being good for themselves. They see all kinds of difficulties, they put all kinds of obstacles. We who purport to have that higher set of intelligence, at least I hope so, have the burden of persuading, guiding, explaining, tutoring and showing where potential changes can be made to inure to the benefit of that society.

Sen. London: Would the hon. Senator please give way? Is the hon. Senator suggesting that those of us with intelligence should guide and lead without consultation?

Sen. D. Moore-Miggins: When one talks about consultation, one forgets that this was the former government who came with the Play Whe and the Lotto that is wreaking havoc with our families in Trinidad and Tobago without consultation.*[Desk thumping]*

Sen. Daly: Is it going to be the Government's policy to review the Play Whe?

Sen. D. Moore-Miggins: Mr. Vice-President, I do not intend to get carried away into Play Whe. I am just using it as a response to my Friend who talked about consultation. We are not here today to talk about Play Whe, save insofar as one is saying, if one is concerned about the family structure and one is concerned about consultation, to look at the track record of those who speak. We will deal with the Play Whe at a different time. I am not going to get side-tracked with that.

Sen. Mohammed: Mr. Vice-President, before the hon. Senator moves on to another point, I would just like to get an idea as to the economic benefit to the people of Tobago that a measure like this would bring in dollars and cents, if possible.

Sen. D. Moore-Miggins: I will come to that. I have the information. Many times one has to act as the person who can save others from themselves.

Mr. Vice-President, you will recall when the airport was being built and when the "shallow dock water pond", as it was called in Tobago, was being built, there were many people who were at the forefront of ridiculing and condemning it. Many of the said taxi-drivers who now benefit so substantially were the ones who were opposing it. Time has shown that it was a good measure for Tobago. One taxi-driver said he cannot imagine that he opposed that venture when it was being introduced. He is now saying it is the saviour of his family. He says that he is now so happy that it is there. That is really the challenge we are facing with this measure. I will tell you why.

Tobago raises $40 million annually in revenue. Other revenues are generated through tourism but one has no record of how much it is because it does not come into the general coffers. This $40 million that we know is raised, is a drop in the ocean for all the projects, for all the improvements, for all the benefits we would like to bring to the people of Tobago. In fact, over the years, as many times as we have petitioned for improved allocations to Tobago, we have been told "you only raise $40 million." "How can we give you anything more than $200 million?" That has been the story of our lives.

For the first time since I am sitting here, there is a measure deliberately and specifically geared to improve the economic picture of Tobago and instead of one supporting it, and pointing to the other ways where it can be improved or made stronger, or pointing to ways where additional measures must be put in place to

make it effective, there are people who are opposing this measure. That, for me, makes it a sad day.

I am going to refer to a document which was produced by Tidco. They are the experts in tourism research. It is the state enterprise that is charged with producing figures for these sets of activities. This document is called "Market Segments, Honeymoons." They started off with a segment profile which states:

> "Honeymooners remain the most constant and recession-proof segment of the entire travel market.
>
> US honeymoon market represents approximately 3.6 million guaranteed travelers.
>
> Average length of stay on a honeymoon vacation is 7—8 days.
>
> Honeymooners spend on average US $3,256.00 on their vacation...
>
> Honeymoon couples are usually young adults (25—27 average age) which make them ideal prospects for repeat customers.
>
> More honeymooners are taking soft adventure trips.
>
> More weddings are being held at honeymoon destinations."

This document went on to pose some of the challenges to the honeymoon segment of the market. This is Tidco our state enterprise advising the Government.

"1. The legislation to get married is too long (14 days).

2. Lack of commitment from hoteliers to dedicate marketing resources toward this market.

3. Lack of service from hotels to encourage honeymooners to return as leisure guests.

4. Need for safety awareness regarding honeymooners since they tend to go in secluded places.

5. Need for an airline to connect directly to Tobago, without overnighting in Trinidad."

The document went on further to state:

"Opportunities.

> Tobago has great natural assets to be one of the most secluded and romantic honeymoon destinations in the Caribbean with its pristine white beaches and undiscovered lovers' coves."

Tobago!

> "Trinidad has potential to offer honeymooners who want to experience Ecotourism—nature, culture and adventure."

In terms of the statistics in reply to my Friend, Sen. Mohammed, this document was projecting that if this amendment tonight is carried then Tidco has certain marketing objectives in mind. They are saying that in 1996 they aim to achieve a visitor or a honeymoon arrival of close to 3,000 visitors. The figures for 1997—12,000; 1998—21,000; 1999—36,000; 2000—46,450.

They are projecting in terms of the economic benefits that in 1996 a sum of US $16,280.000 can be raised; 1997—US $359,072,000; 1998—US $68,376,000; 1999—US $117,216,000; and in the year 3000—US $151,241,000.

The reasons why my Friends laugh is that I do not think they have an appreciation of the market we are tapping and seeking to open. Perhaps, it is a good thing to remind them that we are living in the 21st Century—and you were correct Sen. Rev. Burke.

If one understands what we are talking about, all we are trying to say is we support this measure, but put some safeguards to ensure that Tobago gets its fair share of this sum that we anticipate will be generated. We do not know that will happen until some mechanism is put in place to ensure that Tobago gets a fair share of this.

5.45 p.m.

Put mechanisms in place to ensure that safety and security of persons prevail. This is a concern we have. Undo the damage which was done by the last government in revoking the one national airline flying to Tobago and the closed skies it wreaked on us when the hon. Minister of Works and Transport signed that letter creating a monopoly on the domestic air services. That is what we want. Today we hear them talking about open skies. Who are the ones that imposed that backwardness on the people of Tobago? That is one of the concerns we ought to have.

Create the infrastructure such as the hospital. For 20 years we have been begging for a hospital. Get that cracking so that if they get sick we can take them there quickly.

Electricity has recently become a problem in Tobago. Create a situation where we do not have to rely on Trinidad for the generation of our electricity. These are the kinds of comments I would have expected representatives of Tobago to make today and not to tell us that we should wait and discuss this a little more. It is not in 1996 that this suggestion for amending the laws to create Tobago as a destination for honeymooners was proposed. My information is that since 1992 when a certain government was in power this recommendation was made.

Sen. Mohammed: May I respectfully ask the hon. Senator if she remembers who was the then Minister of Tourism?

Sen. D. Moore-Miggins: Is the hon. Senator saying that there is no longer collective responsibility in Trinidad and Tobago, that one minister can carry the blame in any government? It is the same way she was making the point about one segment of the government, the NAR, was talking about morality and the UNC side was talking about financial benefits. She does not understand the first principle of marriage—that is sharing. That one handles this part and the other one handles that part.

When one listens to hon. Members on the other side, one would think that what we are proposing today is some amendment to the law to create quickie divorces or nudist camps or sex orgies or sex tourism or some kind of high-impact environmentally-destructive activity or more gambling than they foisted on us. We are amending the laws to create marriages, that institution of nobility, sanctity, love and respect for God, in a society that loves common-law unions. This Government is amending the law to place importance on marriages.

We did not go out there looking for tourists to come to some sex spot to have certain promiscuous acts done to them. That is not what the Government is doing. One would think that is what we are doing. As we hear marriages, some people's antennae go up. I wonder why. We are seeking to tell those who are willing to observe the ceremony of a marriage to come to Trinidad and Tobago to do it. In doing this we are actually responding to recommendations made by people in the industry such as the hoteliers in Tobago. If a government cannot respond to people who know better and operate in the industry and make their recommendations, then it is a sad day for us in this country.

I am also supporting the measure because it encourages some amount of decentralization. We in Tobago love that word because we have lived knowing the ills of a centralized society and system. As you know, in Trinidad and Tobago

everything is controlled from the centre which is Port of Spain. When one hears that now a district registrar in Tobago can issue a special licence and conduct a marriage, whereas before we had to fax—Lord help us if that fax machine breaks down or if electricity goes—is that not something for us to get excited about? At last a government is willing to recognize that officials in these outlying districts have some modicum of intelligence and can carry out certain official duties. I am happy about that and the $300 that would be paid to those offices when each of these marriages are performed. Does that not hold any benefit?

Sen. Mohammed: Mr. Vice-President, I thank the hon. Member for giving way. Can the hon. Senator indicate what mechanisms are in place with respect to this piece of legislation with regard to ensuring that an illegality would not be perpetuated? The Bill speaks about non-residents coming in and solemnizing a marriage within three days. What if one of the parties to that arrangement happens to be married before? What mechanisms are there to ensure that these illegalities would not be perpetrated?

Sen. D. Moore-Miggins: The very mechanisms that are there if the party had come to spend seven days. We are losing sight of what is happening; that is cutting

down a period by four days. When that law was in place we did not have fax and the elaborate and effective measures of tracking down things as we have now. Three days do not make any big difference in terms of getting that information if it is needed. It can be obtained.

One Anglican priest does not a clergy make. If one speaks to the clergymen in Tobago they would tell you that even now that with the 40 ceremonies which are being performed, they benefit lucratively from that trade. They charge a figure that I cannot even repeat because it might make Sen. Rev. Teelucksingh or Sen. Gray-Burke jealous. They charge phenomenal sums for marrying these people. When these people return they send donations to the Churches then they organize exchange visits. All that happens. I am saying that we as the leaders can guide our people in Tobago as to the best ways to take advantage of what this amendment will offer.

Perhaps we can guide our churches to conduct anniversary services and invite them back at great benefits to Tobago and the Church. We can see how innovative we can be in capitalizing on what this measure is offering us today. There are many downstream activities here which I am seeing. My brain is working overtime. Instead of seeing the negative in this, I am seeing the positive all the time. I am seeing so many downstream industries which can be encouraged

in Tobago from this measure. I am seeing things like the ecotourism venture which my Friend, Sen. Spence, spoke about. We have to isolate problems. Would the problems of lack of ecotourism activity be solved by opposing this measure?

5.55 p.m.

Would the problem of the detrimental impact on the environment be solved by opposing a measure that just cuts off four days from a seven-day time? Would the problem of money staying out of the country be solved if we oppose this measure? These problems are there. I am not saying that they do not exist, but they need a solution separate from opposing the Bill which is before this honourable Senate.

Sen. Prof. Spence: Mr. Vice-President, I venture to suggest that they are less likely to be solved if we think there is a quick fix in the form of special marriage licences for marriage tourism.

Sen. D. Moore-Miggins: Mr. Vice-President, my Friend has his opinion and I have mine. I feel that a capable government that is serious and not bankrupt of ideas as others we have seen can put their minds to these problems and solve them separate and apart from this amendment we are opposing today. I think there are problems which exist which have to be solved. The environmental issues are there whether the Marriage Act is amended or not and we have to solve them. The problem of open skies is there and my fear is that we will open these skies so that everyone can fly but we will not have the tourists to bring: we will not have in place a honeymoon market nor an ecotourism which will attract them. One can say, "Which comes first, the chicken or the egg?" For me, simultaneously as we work on the open skies, we should also put in place an environment whereby tourists will want to come to Tobago.

In talking about some of the downstream industries, I am saying that not everything can be paid for from outside. If a government is perceptive, it can institute mechanisms to ensure that alongside this amended Act measures are put in place to ensure that certain financial benefits stay in Tobago. If that is what people are concerned about, it can be done.

There are downstream activities like people providing flowers. Recently a boat owner received a good financial boost from a wedding couple who wanted to be married under water. There are people who have to cater. They must have dishes and so forth. There are people who are into bridal attire and tropical wear. There are people who might want to provide ferry and taxi driving services. My

Friend, Sen. Dr. Mc Kenzie referred to this issue about hotels bringing in big buses. That is true, but my point is that we as leaders in Tobago must encourage our taxi-drivers to expand their businesses as time goes by. They cannot stay with that five seater. People want the bigger buses and taxi-drivers have to grow. We cannot use that problem as a reason to oppose that measure. We have to confront that issue separately and find a way to encourage our locals to grow to meet the demands of the industry.

Tourism has been identified as one of Tobago's engine of development. We are either for it or not. We seem to have a love/hate relationship with this tourism. We want it because we know that it sustains our Tobago economy. We like that on the one hand, but we do not want it on the other hand. We have to make up our minds. We have to acknowledge that there are ills which flow from tourism and we have to put our collective wisdoms together to deal with those ills. We cannot do anything else. Even ecotourism will bring its ills.

I have read several documents which have spoken of the different conflicts which arise in ecotourism ventures and the innovative and creative ways these conflicts have been settled. So there is no easy way. We cannot blithely stand here and say we will oppose this. No! The challenge is to recognize the worth, go for it, but at the same time recognize the implications and deal with them. We recognize that people have to be brought to understand what we do. People have to be brought to change some of their traditional approaches and we have to do so while at the same time preserving our moral and ethical standards built up over the years.

Mr. Vice-President, I sit in my office every day and women come to me begging for employment: any type of job—sweeping, cleaning and so forth—desperate. I wonder how anybody can oppose this type of measure. I see the extent of unemployment in Tobago—by now it may be about 25 per cent—particularly among women. I am not saying that the tourism industry is only geared for that type of employment. I would particularly like to see women owning more small businesses, bed and breakfast and more of the true tourism plant, but they have to start somewhere. There are people in Tobago who are unemployed; women who have to support their children and who will be happy to know that a measure is before this honourable Senate that can perhaps generate one-third or one-eighth of the income that is projected in this document by Tidco. That is why I support it.

Mr. Vice-President, I have heard people talk about trivializing the institution of marriage. Perhaps I am daft or dunce or something is wrong with me, but I honestly cannot understand how removing four days from the requirement of seven days would trivialize marriage. What I think these churches should do is use their creative instincts to use this mechanism to point the way to better marriage relationships among their flocks. We have to find the mechanism to convert everything we see as detrimental into a positive reflection. We have to stop thinking "Ah, Ah!" as soon as we see anything, and instead challenge people to recognize the dangers and find ways to deal with those dangers.

When people come from the United States, Germany and other places, they are coming here for 10 days, to marry and to enjoy what they think is a piece of paradise on earth. We are not changing our laws to suit them. We are facilitating a business. I do not know if anyone can really say that we do not want to be business-oriented. Sen. Burke has said, "Come to Trinidad! We will take it. You can stay in Tobago and say you do not want it." That is what will happen. We in Tobago will say that we do not want it and Trinidad will take it and again we will be left holding the wrong part of the stick. I will not be part of that, Mr. Vice-President.

I am saying that I support the measure. I appreciate that there are pitfalls but I am willing to confront it with all the energy and gusto at my command.

6.05 p.m.

I am not at all going to turn back this which is for once there to improve. It is the only measure that I have seen brought here in the last four years since 1992 that is saying to the people of Tobago we are thinking about you and we are seeking to devise something—imperfect as it may be—in giving the realities of this age and I will be a mad woman to stand up here and say that I am opposing it.

I am not opposing it, Mr. Vice-President, I am supporting it with every ounce of my blood and I am saying come quickly, let us go with it. I am also saying that this Government is acknowledging that there are problems. I do not want to be misunderstood, I am not saying it is easy sailing, but I am saying it is the most realistic and effective area right now where Tobago can earn its keep and put itself on a footing to survive, where it can feel that sense that it is contributing to the national economy, can feel that dignity that for once it has a future, for once

young persons have something to look forward to, if only it is well used and well implemented, and I am saying come with it.

Thank you very much, Mr. Vice-President.

Sen. Prof. Kenneth Ramchand: Mr. Vice-President, I want to begin by reminding myself and making sure I do not forget the purpose of this Bill. The purpose of the Marriage (Amdt.) Bill and I read from the Bill itself, is to amend the Marriage Act in order to permit non-resident persons wishing to marry in Trinidad and Tobago to do so within a minimum period of three days after their date of arrival, subject to the observance of certain procedures as prescribed.

First of all, I would like to make some comments on a few points that I think need clarification and I begin with what may seem trivial, a little quibble: 19A. (1) uses the phrase "not less than three days" instead of "not fewer than three days". Perhaps the Minister can tell us whether in legal language you always say "less than" and not "fewer than", but I note that fewer and fewer people are using fewer. *[Laughter]* Common usage is blurring the distinction between the two but a distinction exists. "Less than" would indicate a block or stretch of time, a quantity, so we say less than a gallon or less than four pints. Less than three days means that if one arrives on Sunday at 11.00 p.m., one cannot marry before 11.00 p.m. on Wednesday. You watch the clock as St. Paul says, and you burn until 11.00 p.m on Wednesday.

Fewer than three days means that if one arrives on Sunday, one may marry anytime on Wednesday. I do not know if what is meant is "fewer than" or "less than" or whether the language of the law is always "less than".

Secondly, Mr. Vice-President, I am taking it for granted that if one of the parties to this marriage is a citizen of Trinidad and Tobago, the tourist marriage cannot take place. In other words, I am taking it that the amendment cannot be used either to sanctify certain sexual arrangements, or to give freedom to non-nationals to acquire land and property and to make certain kinds of investments.

Thirdly, we speak about two non-resident parties. Mr. Vice-President, I would have preferred the phrase "people who are not citizens of Trinidad and Tobago." I want this for precision and I want it to be made clear that this is an arrangement that does not apply to nationals of Trinidad and Tobago. It is an arrangement for winning tourist dollars, we are not amending the Marriage Act for citizens of Trinidad and Tobago.

Fourthly, Mr. Vice-President, why are they only charging $300?

If I have misgivings about this amendment, it is not because I would want to prevent people from rushing in where angels fear to tread. I am arguing in a different way. I am taking it that the Bill is an *ad hoc* affair designed specifically to facilitate three-day marriages for the economic purposes declared by the hon. Minister of Legal Affairs. That is the full shamefulness of it and I want that to be clear. That is what we are stooping to, that is what we are doing. This is not a debate about the place of marriage and the family in our society. It is not a debate about the changes that have taken place in the nature of community and communal living and in our values and attitudes that may well require modifications in the law concerning these two institutions. Such a debate as I have described may very well be necessary, but Mr. Vice-President, I am sorry to say that is not the issue that was brought before us.

In the same way, the Jury (Amdt.) Act that came to this Senate was not as it ought to have been—an Act about the workings of the jury system—if it had, it might have prevented the sort of old mas at Chaguaramas that is going on now. *[Desk thumping]* The present Marriage (Amdt.) Bill is another instance of our readiness to alter fundamental principles and practices to provide exemptions and concessions in order to attract foreign investments or cash. I have to say that I regret we are doing this and that we should come to Parliament with this Marriage (Amdt.) Bill to dignify what is clearly an undignified and philosophically unjustified and unargued for measure. I repeat that this Bill is a bill designed to make us more attractive to tourists, and to make us more competitive against those islands with tourists economies.

I am surprised then that there is no provision to benefit from the divorces that will follow, or no provision to charge more for the second, third and fourth marriages that will surely come. They are missing out on an important set of revenue.

Mr. Vice-President, I agree with Sen. Prof. Spence's comments and with those of Sen. Dr. Mc Kenzie about just how much of these tourist dollars will come to the country and would benefit the citizens.

I have proposed on numerous occasions—and I do not know why people worry about censorship in this country. There is a natural censorship, one can say what he likes, nobody listens. I do not know why the Government wants to ban the press. Nobody is reading, or listening or thinking.

6.15 p.m.

Mrs. Persad-Bissessar: Mr. Vice-President, I strongly disagree and may I indicate that the statement made by the hon. Senator is incorrect. As a member of the Government, as far as I am aware, there is not any step or movement by Government to ban the press.

Sen. Prof. K. Ramchand: I apologize, for the levity, Mr. Vice-President; I was just making a joke about the events. But I do think there is a natural censorship in the country, and that is the only point I wanted to make.

I have proposed, on numerous occasions, that if tourism is to be of benefit to the citizens of this country, if it is to justify the Government's expenditure of foreign exchange in promoting it, if we are really serious, we should set up banks at all the points of entry for tourists to change their money into TT dollars and pass a law that the only legal tender in this country is the TT dollar.

Certainly, the Marriage (Amdt.) Bill is not likely to bring revenue to anybody but the large hoteliers.

Mr. Vice-President, I take the hon. Minister's cue to make some further comments on tourism. I believe that we should make a distinction—in our minds at least—between visitors and tourists. This country has always attracted visitors. There has never been a tourism policy, thank God, but there have always been repeat visitors. If a survey is done it would show that Trinidad and Tobago has had more repeat visitors than any other tourist destination in the Caribbean.

They come here and they are moved and educated by what they see, and they return. The reasons for this are legion. This is a physically attractive country. They come here to watch birds, to study the swamps and rivers, to chase orchids and wild flowers. They hear about the place, they know about the place, and they come. They think it is an interesting place to come to physically. They have heard about and seen our exciting cultural practices. They like our food, our mixtures of religions, our music and fusions of music, our song and dance, all those stunning fusions of all the cultural elements: Carnival, Divali, Christmas, New Year, they come for these celebrations. These were never set up for tourists. These are people expressing themselves.

It does not matter what politicians may say and try to propagate, this is a country that is an example to the world of racial harmony. *[Desk thumping]*

They come because there is cheap food. We complain, but our food is very cheap. There is also cheap drink compared with their own country. When I go to Antigua I have to pay $15 for a Carib. When I go to America I pay $18 for a

beer. They come here and get beers for $2.75 and $3.25, almost two for the price of one. They come here because they know that their money goes further here than in any other part of the Caribbean, and it certainly goes much further than it goes at home.

They come here because there is a very sophisticated, literate and creative population. They come here because there are historic buildings, national archives. Hundreds of them come every year to the University of the West Indies to work in the West Indiana collection. All of these things exist not because of any tourism policy but because this country has always existed for us and for our enjoyment.

Mr. Vice-President, if Government were to spend its money on providing more and better education, jobs and land so that every citizen can own a home; if they could encourage agriculture, build roads, have mosquito and sandfly eradicating programmes; give us pure water and good public transport; make laws to improve our lives and to ensure that we get our fundamental rights, I am sure this will continue to be a place that visitors of a desirable type would want to come to again and again.

While we should not set out to make things hard for visitors, we should not change our laws and weaken our values and standards, or run the risk of weakening our institutions just to induce the idle rich to come here. Do you think America, England, France, Italy or Germany would change their marriage laws because they think that people from Icacos or Piparo have the money to go there and tie the knot?

May I assure Sen. Deborah Moore-Miggins that an argument against this amendment is not an argument against visitors coming to this country nor an argument against Tobago.

Shakespeare said in a different context: “If it were done when it is done, ’twere well it were done quickly; if the assassination could trauma up the consequences...” There are consequences that will flow from this amendment and we cannot stifle them. We still have judgment, I believe, in this honourable Chamber.

If this accommodation to the whims of tourists and to the prospect of dubious and short-term economic gain had to be made, I wish it could have been done

without coming to the Parliament and asking us to write it into the laws of the country. If I had the time I would have gone around trying to see whether some way could have been found to come here with a proposal that, maybe, the Minister of Tourism should have the right to waive this legislation in certain cases and work out the procedures which he would then apply for granting the certificates. I do not have the legal training and so forth to work this one out, and I am sorry that in order to allow these tourist marriages to take place we have to come to Parliament and write these arrangements into the laws of the country.

Since the Bill has come, may I emphasize that I hope it is very clear that it does not apply to citizens of Trinidad and Tobago and, therefore, I would like to see a change from "non-residents," and I would like to know that it only applies to people who are not citizens of Trinidad and Tobago.

I also have reservations about the apparent decision that these marriages, like the consumption of liquor, can happen any time, anywhere in our society from now on. Surely, if this amendment is to be perpetrated it should be restricted to the tourist city in the particular island. Let there be one centre where it happens. What happen, they want to come and get these quick tourists marriages and go to Biche, Guapo and Icacos to do them? No, come to the capital city! In this way there would be some measure of control and we would not have to make provision for every registrar all over the country to have this power. You fix a place where it should happen and appoint three or four registrars who exist purely for this purpose.

Mr. Vice-President, even though I am trying to suggest one or two changes, I wish the Government could banish its anxieties about tourism, realize that this country, its environment, culture and social formation—this country is very attractive to visitors and I wish that they realize that in this particular instance we do not have to stoop to conquer.

ADJOURNMENT

The Minister of Public Administration and Information (Sen. The Hon. Wade Mark): Mr. President, I beg to move that the Senate do now adjourn to Tuesday, July 09, 1996 at 1.30 p.m.

On that occasion, we would continue debate on this particular matter. We shall also deal with the Immigration (Caribbean Skilled Nationals) Bill as well as the Administration of Justice (Miscellaneous Provisions) Bill.

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 6.25 p.m.