

Trade Marks (Amdt.) Bill

Tuesday, July 23, 1996

SENATE

Tuesday, July 23, 1996

The Senate met at 1.35 p.m.

PRAYERS

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

TRADE MARKS (AMDT.) BILL

Bill to amend the Trade Marks Act, Chap. 82:81 [*The Minister of Legal Affairs*]; read the first time.

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

Question put and agreed to.

PAPERS LAID

1. Thirty-Ninth Report of the Salaries Review Commission. [*The Minister of Public Administration and Information (Sen. The Hon. Wade Mark)*]
2. Report of the Auditor General on the accounts of the Trinidad and Tobago Solid Waste Management Company Limited for the year ended December 31, 1988. [*Hon. W. Mark*]
3. Report of the Auditor General on the accounts of the Trinidad and Tobago Solid Waste Management Company Limited for the year ended December 31, 1989. [*Hon. W. Mark*]
4. Annual audited accounts of the National Flour Mills Limited for the year ended December 31, 1995. [*Hon. W. Mark*]
5. Annual audited accounts of the Point Lisas Industrial Port Development Corporation for the year ended December 31, 1995. [*Hon. W. Mark*]
6. Loan Contract No. 932/OC-TT between the Republic of Trinidad and Tobago and the Inter-American Development Bank—National Highway Program dated July 12, 1996. [*Hon. W. Mark*]

DOMESTIC VIOLENCE AGAINST WOMEN

The Minister of Community Development, Culture and Women's Affairs (Sen. Dr. The Hon. Daphne Phillips): Mr. Vice-President, I am thankful for this opportunity to express the dismay of the national community, the concerns of the Division of Women's Affairs of my ministry, and my own concern as minister with responsibility for gender issues, at the alarming slaughter of women and men in Trinidad and Tobago in the recent past and over the last few years. This concern is reflective of that of the major NGOs in Trinidad and Tobago, as well as of individuals in their homes and on the streets.

The carnage of women is largely a product of domestic violence, where, lately, children are also brutally killed in many of the attacks. Statistics from the Ministry of National Security on the number of women killed through domestic violence show increases from 1992 to 1995 over the previous three-year period. These figures are not inclusive of those women who may have been killed by strangers, having been dragged from their homes or attacked on the streets where they were brutally raped and/or subsequently violently killed. This was the fate of women in two recent tragedies in Trinidad and Tobago over the past week, the latest being that of Annie Dhanraj, the maid of former NAR Government Minister, Mr. Lincoln Myers. The statistics are also not reflective of those women who have been victims of attempted murder and, are therefore alive because of the intervention of a third party or parties.

This honourable Senate and the national community are reminded that the Government of Trinidad and Tobago has acknowledged its responsibility in matters of this nature through the following:

- Ratification of the United Nations Convention on Discrimination Against Women;
- Ratification of the Inter-American Convention on the Prevention, Punishment and Elimination of Violence Against Women;
- Ratification of the Convention on the Rights of the Child.

Our Government's continuing obligation in this regard is expressed in the recent passing of a bill which seeks, among other measures, to improve the possibility of obtaining justice for victims of domestic violence and sexual assault, as well as for children who have been physically or sexually violated. Our Government intends, as well, to amend the Domestic Violence Act to provide

greater and more effective protection for victims of domestic violence, and to give the Act more teeth in the provision of justice for those who have been violated.

I welcome these legislative measures. I note that social mechanisms must also be put in place to cope with both prevention and healing in these and similar conditions. In this regard, my ministry has been putting in place measures for addressing these senseless crimes. At the preventive level, we have been focusing for the last several months on the community network to include gender awareness and gender equity in all our programmes in the community—whether skills training, income generation or cultural programmes—in order to reach and increase the awareness of men and women in a variety of situations.

We have also, in the last two months, been holding workshop consultations in various regions around Trinidad and Tobago where men and women identify social issues and problems in their communities and are encouraged to create community solutions for these complex problems. Participants are encouraged to construct, in their communities, mechanisms for the early detection of potentially violent situations, and to use a form of communication and conflict resolution for responding to and defusing actual violent situations.

I urge and invite the population to attend these consultations when they are scheduled to take place in their communities, districts or regions, so that they can be part of, contribute to, and share in these discussions. These are intended to be followed by a national consultation in which all the other social ministries will be involved—these are the Ministries of National Security, Social Development, Sport and Youth Affairs and Education. This consultation is to be held later in the year, before the end of December, 1996, when we will seek to institutionalize adequate social mechanisms related to these problems.

At the level of my ministry, we are currently engaged in an institutional strengthening exercise of the Women's Affairs Division which is projected to further strengthen gender sensitization in other ministries through a trainer-of-trainees programme.

In our Government's concern for the issues of men, Cabinet has recently approved the appointment of a male functionary, for the first time, in the Women's Affairs Division, to work with men on problems related to violence in the home and issues of the family. The Division has decided that his first project would be in the area of domestic violence.

Domestic Violence Against Women
[SEN. DR. THE HON. D. PHILLIPS]

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1.45 p.m.

My ministry will shortly revive the inter-ministerial committee on women, whose responsibility it would be to help create national policies and plans related to gender issues, and to identify a legislative agenda for these issues.

Through the Division of Women's Affairs, my ministry has also recently brought together a "Friends of the Division" group, consisting of representatives of NGOs in order to work with and through NGOs for the facilitation of our programme in the interest of women, men and the nation.

We invite all individuals and groups in the nation and in the national community to join us in this struggle.

Thank you.

ARRANGEMENT OF BUSINESS

The Minister of Public Administration and Information (Sen. The Hon. Wade Mark): Mr. Vice-President, after appropriate consultation with both the Leader of the Opposition and the Independent Benches, it was agreed that the Senate will deal with "Government Business" today instead of "Private Business". I therefore, beg to move that the Senate now deal with "Government Business", instead of "Private Business".

Agreed to.

MOTOR LAUNCHES (AMDT.) REGULATIONS

The Minister of Works and Transport (Sen. The Hon. Sadiq Baksh): Mr. Vice-President, I beg to move, the following Motion:

Whereas it is provided by section 15(1)(h) of the Motor Launches Act, Chapter 50:08 (hereinafter referred to as "the Act") that the President may make Regulations prescribing the fees to be paid for any certificate or licence issued or act done under the Act;

And whereas it is provided by section 15(3) of the Act that Regulations made under the section shall have no force or effect until they have been approved by Parliament;

And whereas the President has on the 15th day of February, 1996 made the Motor Launches (Amendment) Regulations, 1996;

And whereas it is expedient that the said Regulations now be approved;

Be it resolved that the Motor Launches (Amendment) Regulations, 1996 be approved.

Mr. Vice-President, the Motor Launches Act, Chap. 50:08, of the laws of Trinidad and Tobago is originally part of the old United Kingdom legislation dating back to 1927. It provides for the regulation of motor launches, described under the Act as “any steam launch, motor boat or other vessel propelled by mechanical power, not exceeding thirty and a half metres in length”.

The Act however, does not apply to motor launches forming part of the equipment of an ocean-going vessel or to motor launches used solely as private pleasure launches.

Under the Act, the owner of every motor launch shall cause it to be surveyed once in every 12 months by a surveyor appointed by the President. If the surveyor is satisfied that the motor launch is in good condition in hull, machinery, and prescribed equipment, he shall furnish the Harbour Master with a declaration containing statements of the following particulars:

- (a) that the hull, machinery and prescribed equipment of the motor launch are in good condition and that “she” is in all respects fit to be employed as a motor launch.

Permit me to state that no disrespect is meant to females since “she”, in international maritime jargon, is associated with the maritime industry, and quite commonly used to describe ships and boats.

- (b) the limits (if any) beyond which, as regards the hull, machinery and equipment of motor launches are not fit to ply;
- (c) the crew required for the safe navigation of the motor launch;
- (d) the number of passengers the motor launch is, in his judgment, capable of carrying with safety;
- (e) any other particulars which may be prescribed.

In addition, section 8 of the Motor Launches Act provides that a person shall not serve on a motor launch carrying passengers, as captain or engineer (if an engineer is required) on the said motor launch, unless he is duly licensed. Further, a person shall not employ any person as a captain or an engineer (if an engineer is required) who is not so licensed on a motor launch carrying passengers.

Mr. Vice-President and hon. Members, over the years, external professional expertise has been sought to perform surveys of motor launches and conduct examinations under the Motor Launches Act. Traditionally, this expertise has come

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from officers of the Port Authority of Trinidad and Tobago and the Pilots and Berthing Masters Association who possess a Certificate of Competency as Master, and a Certificate of Competency as Marine Engineer I. Currently, five persons have been appointed both as surveyors of motor launches, and as examiners of engineers, and five persons hold appointments as examiners of captains.

In 1993, there were 212 vessels on the national register of motor launches. Ten more vessels were placed on the register in 1994. However, in 1995, an update done on vessels on the register showed only 113 launches to be active. There is cause for concern that more vessels under 24 metres in length currently operate in and around the waters of Trinidad and Tobago without satisfying the requirements of the Act with respect to surveys and personnel.

I would like to inform this honourable Senate of the existing fee structure which is as follows:

Initial survey of motor launches	\$50.00
Annual survey of motor launches	\$50.00
Examinations	\$50.00
Issue of certificate of competency	\$10.00
Issue of renewal of licence	\$30.00

Sixty per cent of fees collected under the Act is paid to surveyors and examiners and 40 per cent is retained by the state.

Mr. Vice-President, the new fee structure proposed is as follows:

Initial surveys	\$200.00
Annual surveys	\$100.00
Examinations	\$100.00
Issue of certificate of competency	\$ 50.00
Issue of renewal of a licence	\$100.00

The overall intention is to enhance the efficiency of the equipment to minimize the detrimental effects of marine pollution and also an improvement in the discharge of functions by the relevant personnel.

1.55 p.m.

Trinidad and Tobago must be in a position to exercise more direct and supervisory control over the safety of shipping in Trinidad and Tobago waters. Consequences of unsafe shipping practices are costly. They often have far-reaching negative impact on the marine environment and on human lives and well-being. It is impossible to identify all factors that contribute to the risk of a shipping accident and the human and environmental damage resulting from it. However, the principal measure that is promoted to minimize such risks is to ensure that vessels are seaworthy, in possession of approved equipment and certificates and manned by properly qualified personnel. Vigilance by Trinidad and Tobago in the form of regular and systematic inspections and surveys is the best mechanism to minimize and reduce shipping accidents and consequential damage to persons and the environment.

I would like to reiterate our Government's commitment to a sustainable environment and the development of the necessary regulatory and legislative framework. The vulnerability of Trinidad and Tobago to environmental damage directly attributable to shipping operations led Cabinet earlier this year to approve a programme which will develop marine pollution prevention and compensation legislation for Trinidad and Tobago, to protect our country against major causes of pollution damage from ships such as oil, garbage, hazardous substances and dumping.

Mr. Vice-President, currently the Inter-sectoral Committee appointed by Cabinet to advance the implementation of a marine pollution and compensation regime for Trinidad and Tobago is in the process of elaborating a schedule for the development of pollution prevention legislation for satisfying technical and operational requirements under the international statutes which Trinidad and Tobago will adopt as part of its marine environment regulatory policy.

Moreover, Trinidad and Tobago has received the full co-operation and support of the International Maritime Organization (IMO) in the co-hosting of this Government's initiative to develop a regional conference on marine environmental and pollution prevention issues relating to small leisure craft. The conference will be held during November 25—27, 1996 and will bring together marina operators, boaters, government health officials, environment and maritime officials with the aim of agreeing on a code of good practice for small leisure craft in the Caribbean, particularly in relation to the management of oily waste, hazardous waste, garbage, sewage generated from pleasure boat operators.

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In a related area, and consistent with Government's aim to promote safer and cleaner shipping for the well-being of all our peoples of Trinidad and Tobago, the Maritime Services Division of the Ministry of Works and Transport has embarked on a major revision of the outdated harbours legislation dating back to the 1800s. Currently, there are six designated harbours in Trinidad and Tobago and one appointed Harbour Master, that is, the Director of Maritime Services, who oversees all harbours including the related vessel traffic and operations.

Our Government proposes to designate two new harbours, at Chaguaramas and Point Fortin respectively, in light of shipping activities in these areas in recent years. This will increase the total number of harbours in Trinidad and Tobago to eight.

Our Government intends to appoint harbour masters and assistant harbour masters in each harbour in order to establish greater control and responsibility over the safety and security of harbour operations in Trinidad and Tobago.

Mr. Vice-President, it is proposed that the agencies under whose direct administration, harbours, ports and wharves currently lie, will be more closely involved in monitoring and safeguarding harbour activities, under the overall control and supervision of the Director of Maritime Services.

Issues such as vessel safety and integrity, unloading and stowage of dangerous cargoes and the prevention of deliberate pollution in harbours of Trinidad and Tobago will be more effectively regulated and enforced under the new legislation.

Hon. Members, the Ministry of Works and Transport is also continuing its programme of updating and developing regulations under the Shipping Act, No. 24 of 1987. Assistance has been received from the Marine Safety Agency (MSA) of the Department of Transport of the United Kingdom in the development of such regulations.

The Maritime Services Division and the Maritime Safety Agency have also been approached to provide the services of a senior surveyor to the Division for one year to develop procedures, forms and certification for the proper conduct of surveys required under national laws and under international conventions to which Trinidad and Tobago is a party, and to provide advanced training for Trinidad and Tobago's surveyors.

Mr. Vice-President, by means of the aforementioned initiatives, and through other sustained professional upgrading and development of staff of the Maritime

Services Division of the Ministry of Works and Transport, we are positioning ourselves to carry out, effectively, all necessary flag and port/state responsibilities and activities in its role as maritime administrator in Trinidad and Tobago.

For a maritime administration to operate in a manner which allows its seafarers to be marketable internationally, to have its ships operate worldwide without restrictions, and to implement and enforce international standards adequately, it must institute a quality assurance system. A quality assurance system will also ensure that shipping operators into Trinidad and Tobago ports comply with approved standards for vessel safety and pollution prevention.

Mr. Vice-President, these plans and proposals outlined this afternoon will contribute to ensuring that the seas around Trinidad and Tobago will continue to be a source of enjoyment for the present and future generations.

Mr. Vice-President, I beg to move. [*Desk thumping*]

Question Proposed.

2.05 p.m.

Sen. Danny Montano: Mr. Vice-President, at the risk of being rude and totally irrelevant, I would like to draw the attention of the Senate to the most distinguished efforts of Mr. Peter Minshall at the opening of the Olympic Games last Friday evening. I would like the Members of this Senate to join me in sending our warmest congratulations to our distinguished citizens.

With regard to the matter at hand, as the Minister indicated, the substance of the Motion is fairly straightforward, although when we get to the committee stage—if there is one—there seems to be a slight error which I will point out later.

The use of motor launches in our waters is becoming a matter of very grave concern to those of us who use the waterfront facilities of our islands. We are encountering increasing numbers of accidents, primarily because this piece of legislation, the Motor Launches Act, is really not enforced at all.

The Act covers motor launches under 30 metres which pretty well encompasses most of the vessels in our waters. I am aware that almost all of the small pleasure boats being used, certainly in the Chaguaramas peninsula, are unlicensed within the context of this Act. Not only are the boats unlicensed and unregistered, but the operators of those vessels are also unlicensed. What we are facing is a situation where minors who are not permitted under the laws to drive

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motor cars are, in fact, operating these vessels which are, in some instances, very powerful and very fast and, in fact, using them in a most unsafe manner. Those of us who enjoy the facilities of the islands and the coastal waters find ourselves in the situation where our children may be swimming 10, 15 or 20 metres off-shore and someone comes zooming by at about 30 or 40 miles per hour and he is barely able to see the small heads of the children, and it causes a minor heart attack every time we, parents, sit there and watch these boats zooming by. It is a matter that I had intended to address later on in the sitting of the Senate, but the fact that this has come, it is appropriate at this point to draw the Minister's attention to this particular issue.

In one particular instance, I know someone who was scuba diving with the proper regulations. He had planted a flag on a buoy as is required when one is scuba diving. In fact, all that he was doing was cleaning the barnacles and the moss off the bottom of his boat, and some unlicensed person operating a jet ski—if you know what that is; it is a very small vehicle about eight to 10 feet in length—which seemed to be hopelessly overpowered; whether he was a visitor or a national, I am not sure, but he had obviously rented it from a neighbouring hotel—came zooming by within about five or six feet of the launch, the bottom of which this fellow was cleaning, and as he came up, the jet ski hit him in his head. He was nearly killed. He went directly into a coma, and were it not for the fact that his parents were of some means and resources—they were able to charter a plane immediately and send him up to facilities in Miami. It is that type of thing that I would ask the Minister to address in his ministry.

The other matter on which the Minister touched—and it is a very serious concern—is the question of pollution. Based on the experiences that I have had—and I have been enjoying the waters in the country here for a very long time, over four decades, in fact—the degree of the pollution of the waters caused by the vessels themselves, I would venture to suggest, is relatively slight. Most of these vehicles are not in the habit of pumping oil or gasoline into the water in any significant quantity. Even the flushing of toilets, and so forth, could not be in such a volume as to create a serious hazard to the waters that we have. By far and away the greatest source of pollution seems to come from the land itself, our citizens enjoying the beaches, the harbours and their boats and throwing overboard and onto the beach, for it to rest in the waters, rubbish of a kind that will not decay—plastics, styrotex, and that sort of thing; things that simply will not decay at all. That is the pollution to which we need to address ourselves very seriously.

It is not just a question of passing laws. It is very much a question of educating the population as to the damage that they are doing and trying to cajole and persuade them to protect their environment. Law is one thing but the application and control of the law is an entirely different matter. It is very much a question of education and enforcement.

The Bon Accord Lagoon in Tobago and the neighbouring Pigeon Point are areas that are very close to my heart, and areas that in the past I have enjoyed visiting. It might be that the enjoyment and fun that I have had in those areas have excelled any other visit to any other part of the world to which I have been. But my most recent visit to the Bon Accord Lagoon was in August of last year, and I found that the water there was almost completely polluted. It had nothing to do with vessels or boats. In fact, I was advised that the pollution was coming from the land, from a nearby sewer, or something of the sort, where there was effluent that was overflowing or was not being properly treated that was ruining the waters of the lagoon. It was a great pity to see this.

Then I went next to the world famous, Pigeon Point, only to find that the water there was no longer the pristine blue that you and I knew as boys, but in fact the water had turned green. It was a tremendous heartbreak to see what has been happening. This has nothing to do with the use of motor launches. In fact, this comes about from a negligent use of the land resources and a lack of understanding as to the nature of our natural environment; something that we must do everything that we can to protect. The necessary resources, financial and otherwise, must be brought to bear to protect our heritage and what we have.

This is a matter that I could speak on for some time. However, the Minister has indicated his awareness of the issues, of the pollution, of the dangers of the improper misuse of motor vessels. I would certainly be more than willing to provide whatever assistance I could on this side to assist and to counsel the Minister in the drafting of legislation or in the drafting of a promotional scheme so that we can protect and manage the resources of our environment safely, so that we can look forward to many, many future years of free and clean use of our waters in a safe environment.

Thank you very much, Mr. Vice-President.

Sen. Prof. Julian Kenny: Mr. Vice-President, I find myself closely associated with the comments of Sen. Montano but I would like to add a few words. The legislation is, I think, almost 20 years old. The regulations, however, have never

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been made. I think the problem to which he referred—the pleasure craft down the islands and so forth—is something that everyone has been aware of for a long time. The Coast Guard has been very active over the years in pressing to have regulations passed, and so far regulations have not been passed. Today, it is not really a teenager doing it, but you can see an eight or nine year-old sitting at the controls just barely looking over the top and he has got 375 horse power on the back of that, and he is cruising around with some children. This is a very real issue. Sen. Montano referred to an accident, but there have, in fact, been fatalities from this sort of thing.

2.15 p.m.

However, I would like to raise a related issue about those people who go down to the sea to catch fish. There is a problem here. I doubt that one will find a pirogue in this country in which the crew is provided with the most elementary of life preservation, and they go out there—the last time I checked it was in the order of 3,000 crafts overall, not all fishing at the same time. These people go out to fish with the most primitive facilities and, occasionally, there are accidents; people go adrift. When they go adrift there is a great cost, not only to their families but to the Defence Force which has to go out there and mount the search. Recently, there was one in the Gulf of Paria where there was a loss without trace.

While I do commend the Government for taking steps on these motor launches, the focus, however, must really be rather broader to include the pleasure craft with these high-powered engines with unlicensed, untrained children driving them and occasionally having accidents; also for the entire fishing fleet of this country which is out there providing the nation with food and being totally unsupervised and lacking even the most elementary life preservation apparatus.

Mr. Vice-President, I thank you.

Sen. Dr. Eric St. Cyr: Mr. Vice-President, my remarks would be very brief. The amendments to the regulations before us are simply to take account of the inflation over the years and we have absolutely no difficulty with those. The legislation itself dating back to 1926 relates to the commercial launches particularly and, as the Minister himself told us, those have declined in numbers over the last four or five years. The tremendous growth has really been in pleasure craft and yachts.

So far as my cursory look at the Act has told me, though these craft are not dealt with in this Act I welcome the statement by the Minister that his staff is

looking at a complete overhaul of this legislation. I join my comments with those of Senators Prof. Kenny and Montano who spoke before me, that we must address the issue of the yachts and the pleasure craft with a comprehensive piece of legislation.

I thank you, Sir.

The Minister of Works and Transport (Sen. The Hon. Sadiq Baksh): Mr. Vice-President, I thank the Senators for their observations and, in particular, I accept the offer from Sen. Danny Montano. In fact, I extend an invitation to him and other Senators present today to be part of a conference which will take the form of a consultation from November 25—27, 1996 and which is co-hosted by the International Maritime Organization and the Government of Trinidad and Tobago in terms of developing and agreeing on a code of good practice for the small leisure craft in the Caribbean and, particularly, in relation to the management of a number of issues relating to pollution, disposal and the conduct of activities in our waters.

Since all Senators participating in this debate this afternoon have supported this measure, there is not very much for me to reply to except to accept, most sincerely, the sentiments offered by all Senators and to thank them most graciously.

Mr. Vice-President, I beg to move.

Question put and agreed to.

Resolved:

That the Motor Launches (Amdt.) Regulations, 1996 be approved.

IMMIGRATION (CARIBBEAN SKILLED NATIONALS) BILL

Order for second reading read.

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

That a Bill to remove the restrictions on entry into Trinidad and Tobago of skilled nationals of qualifying Caribbean Community countries, be now read a second time.

The purpose of this Bill is to remove restrictions on the entry into Trinidad and Tobago of certain categories of skilled workers from Caricom countries as we seek

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in Caricom to push the integration process forward for the benefit of the peoples of the region.

Mr. Vice-President, this is an important Bill in that it seeks to address an important component of the single market and economy which the Caricom Heads of Government, since the Grand Anse Declaration, decided was in the interest of the people of the region.

We must accept that the Bill does not go far enough, in fact, if we are talking about the establishment of a single market economy, if we are talking about the free movement of labour, capital and goods. This Bill can be described as a step in the right direction because what we would eventually like to achieve is the free movement of labour, that is, all categories of workers eventually should be allowed to travel, to move and to work freely in the region if we are to really reap the fullest benefits of the integration process in Caricom and if we, as Caricom, are to position our countries to be part of the globalized economic environment.

As would be seen, from an examination of the Bill, it limits its application to certain categories of workers—the graduates of the University of the West Indies, the University of Guyana, the University of Suriname and any other university which the receiving country finds acceptable. This is the limited parameter, as it were, of the Bill.

When we are talking about the qualifying nationals of these countries, we are talking about the qualifying nationals to whom these definitions that I have just outlined apply. When we are talking, as well, about the qualifying countries, we are talking about the Caricom countries including Suriname which has just become a member of the Caribbean Community.

May I also indicate that in terms of participation in this aspect of the integration process, the Government of the Bahamas has opted not to be part of this legislation. The Bahamas is a special case because it is not part of the common market. All the other countries have indicated their willingness to be part of the Immigration (Caribbean Skilled Nationals) Bill. In fact, legislation has already been enacted in Guyana and Barbados, and it is at various stages with respect to implementation in all the other Caricom countries.

2.25 p.m.

As I was saying, Mr. Vice-President, the establishment of a single market and the economy is an important objective of the Caricom Integration Movement. It is

the way to bring our economies together, to maximize on the potential that resides in our economies, to give dynamism and energy to our economies. We have achieved, to a very large extent, significant free trade among the countries of Caricom, though there have been one or two instances where accusations of unfair trading practices can be made; these have surfaced in recent times. Of course, we are dealing with these matters, but in order for us to, as I said, ensure the single market and the economy, we must also look at the whole question of the free movement of labour and capital as well.

Mr. Vice-President, this really is the general background and purpose of the Bill. I would just like to go through some of the provisions of the Bill so that we can get a clearer picture of what is taking place.

In accordance with clause 3, a person who holds a passport issued by a qualifying Caribbean community state and who was born in that or any other qualifying Caribbean community state, may be permitted to enter Trinidad and Tobago without any restriction in relation to the duration of his/her stay. In other words, if you have been deemed a qualifying national of a Caricom country, if you have found employment in Trinidad and Tobago and if Trinidad and Tobago finds it suitable to accept you, that is if you have not broken any law, if you are not liable to being deported, if the country from which you come also extends reciprocal treatment to Trinidad and Tobago nationals, for example, you can come into Trinidad and Tobago and operate without any restriction in relation to the duration of your stay and so forth.

If we look at clause 3, we will see that in addition to providing for free movement, including the freedom to leave and re-enter Trinidad and Tobago without further permission, it places no restriction as well on one's ability to acquire property for use as one's residence. It also places no restriction on the right to engage in gainful employment/occupation, and to acquire property for use in one's personal business, and so forth. If one is a lawyer, or a doctor who has come to Trinidad and Tobago and wants to acquire property to open one's office, there are no restrictions on that. This really, constitutes the major provisions of clause 3 of the Bill.

In addition to that, Mr. Vice-President, if we look at clause 4, we will see that provision is made for people not only to come and work in Trinidad and Tobago, but it also allows for citizens of Caricom countries to enter Trinidad and Tobago to look for employment. There is this provision which seeks to ensure that a person who holds a passport issued by a qualifying Caricom state, who was born in

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that or any other qualifying Caricom state and who presents a certificate on entry into Trinidad and Tobago issued by the Government of a Caricom state, which identifies the person as possessing the necessary qualifications will be able to enter and remain in the country for a period of six months. He can come and scout around, look for employment, and so forth.

The provision also allows that once the permission is granted, the Minister responsible for the implementation and supervision of the procedures, may not revoke that permission unless the holder of the authorization has committed an act which makes him liable to deportation, extradition or any other form of expulsion. You know, there is that power that the Minister has to revoke the Act, but he can only do it if the person has committed an offence which allows him to revoke it. So, he can come into the country, spend six months, look for employment, and have an extension of his stay without having to apply for further permission.

Mr. Vice-President, clauses 6 and 7 provide for any citizen of Trinidad and Tobago, or any citizen of a qualifying Caribbean community state, or who was born in a qualifying Caricom community state, to apply to the Minister for a Certificate of Recognition of Caribbean Community State Qualification. That certificate is part of the Schedule, and it is an important document with respect to this law. It is, as it were, a passport to people who seek to take advantage of this Bill. It can only be granted if the person satisfies certain requirements—and some of these requirements I have already spoken about, but which I will elaborate on in a short while.

In fact, Mr. Vice-President, clause 8 goes into detail about those who can qualify for receipt of this certificate of entry, and the following qualifications satisfy the requirements of this Bill: A degree of the University of the West Indies, or of the University of Guyana, designated as a Bachelor's, Master's or Doctor's degree; a degree of Doctorandus Meester, Licentiatu, or Doctor of the University of Suriname; membership of the Guild of Graduates from the University of the West Indies certified by the University of the West Indies; a certificate from the Secretary General of the Caribbean Community attesting that university level qualifications possessed by the applicant satisfy the conditions for recognition; a certificate from any authority—and this is important, Mr. Vice-President, clause (8)(1)(d)—designated by the Minister by Order as an accrediting authority for the purposes of this section.

What we are seeking to do with this aspect of the legislation is to allow countries to set up accrediting systems/institutions/bodies, so that if there are

degrees emanating out of universities that are acceptable or which need to be looked at and assessed, there is an accrediting system in the particular country, set up by the country to allow Caricom nationals who are qualified outside of the region to also take advantage of the provisions of this Bill.

2.35 p.m.

In addition to that, the amendments which have been circulated also add to it, Mr. Vice-President, “and a combination of qualifications in a list compiled from time to time by any authority designated by the Minister, by Order, as an accrediting authority for the purposes of this section and prescribed by the Minister, by, Order, as a list of qualifications and combination of qualifications satisfying the qualification requirements of the Act.”

Again, it provides for flexibility because there are so many graduates in the Caricom countries who got their degrees outside of the Universities of the West Indies, of Guyana and of Suriname; and we also want them to be able to take advantage of the provisions in this Bill.

Clause 8 (a), Mr. Vice-President, which was not included in the original Bill, deals with the role of the Secretary General, where the Secretariat or the Secretary General, in consultation, for example, with the University of the West Indies, or Guyana or Suriname can act as a certifying body for degrees that have been gained outside of the three universities I have just mentioned. So, in the amendment we have circulated, the Secretary General indeed has a role and can also designate a particular official of the Caricom Secretariat who can also assume the responsibilities given to him under the provisions in this clause of the Bill.

Clause 9 of the Bill takes into account the domestic needs, as it were, of the qualifying national of a Caricom country who has found employment in a country other than that of his birth, or his residence, in that it allows for his spouse or dependant relative to also join him or her in the country where he or she has found work, and to also have certain privileges which he or she enjoys, in particular, the freedom from any restriction of movement and any need to re-apply for that freedom of movement, once it has been granted. So the spouses and dependant relatives have also been taken into account in the provisions of this Bill.

An important element of the Bill, Mr. Vice-President, is the question of reciprocity, and clause 11 deals with that, and ensures that the citizens of a country which does not reciprocate will not enjoy the privileges and rights under this Bill. In other words, if a particular country in Caricom has not enacted the legislation,

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and is not prepared to grant the opportunity for Trinidad and Tobago nationals to go into that country and seek employment, and so forth, then Trinidad and Tobago is under no obligation to grant the provisions of this legislation to citizens of that country. I want to make that very clear. The question of reciprocity is an important aspect of the legislation.

Mr. Vice-President, there is a list of offences, as well, which have been explored in clause 14, and under these offences a person who, for the purpose of procuring a certificate or seeking permission, makes any statement which is false or incorrect, his permission can be revoked. The Minister may also cancel a certificate where the holder of the certificate is convicted of an offence, and if for reasons that are deemed necessary to deport a particular person, such a person can lose the privileges and the rights under this piece of legislation. So that there are provisions in the Bill to deal with miscreants, dishonesty, national security, and matters like that. Any person guilty of an offence under the Bill is liable on summary conviction to a fine of \$5,000 and to imprisonment for six months.

Mr. Vice-President, these are the major provisions of this Immigration Bill, 1996 which seeks to—

Sen. Prof. Spence: Mr. Vice-President, I wonder if I could ask the Minister, before he winds up, to explain clause 3 to us because I have a different interpretation to the one he gave. At the bottom of page 2, in relation to clause 3(3)(b) he said that the Bill allows persons who are allowed in under the Bill to acquire property. Now as I understand it here, unless there has been a change which I have missed, clause 3(3)(b) talks about—

“...restriction on freedom to acquire property for use as that person’s residence;”

But then subclause (4) states:

“Subsection (3)(d) only applies to a person who at the time of the acquisition of property is engaged in the business of managing or dealing in investment property.”

That seems to me to mean that you cannot acquire it unless you are dealing in or managing investment in property. But you cannot, as an ordinary citizen, acquire it. Not under this Bill, anyhow.

Hon. R. Maraj: My understanding of it is that you are able to come into the country and under subclause (3)(b) be able to acquire property for use as a residence. That is one. Clause 3(3)(b).

Sen. Prof. Spence: For residence.

Hon. R. Maraj: Yes, for residence. And then under clause 3(3)(d), you can acquire property for use in your business.

Sen. Prof. Spence: This subclause (3)(d) is qualified by subclause (4).

Hon. R. Maraj: Clause 3(4) says:

“Subsection (3)(d) only applies to a person who at the time of the acquisition of property is engaged in the business of managing or dealing in investment property.”

My interpretation of that is, that the only business property that you can acquire is property that is directly related to the business in which you are engaged. That is my understanding of it.

Sen. Prof. Spence: It says: “...business of managing or dealing in investment property”. Managing or dealing in investment property is a very strange way of putting it.

Hon. R. Maraj: In other words, my understanding is that you cannot come into Trinidad and Tobago as a lawyer, for example, and acquire property that does not have to do with the conduct of your profession. That is my understanding of it, but of course, I am subject to correction.

As I was saying, Mr. Vice-President, these are the major provisions of this piece of legislation. May I say one thing further; I find it regrettable that the Bill has had to reach the Senate with so many amendments. The real reason for that is that there had been some measure of a breakdown of communication between the Caricom Secretariat and the Attorney General’s office in Trinidad and Tobago, as a result of which we were not able to get the final draft of this model legislation in time. But what we are now presenting to the Senate, with all the amendments, constitutes the final draft.

2.45 p.m.

This piece of legislation is the same in principle and content as that being used by all of the Caricom countries which have been party to the decision. In fact, the Caricom Secretariat did obtain the services of Prof. A. R. Carnegie, the Executive Director of the Caribbean Law Institute Centre of the University of the West Indies, Cave Hill Campus for the purpose of drafting this model legislation. So that, the legislation being debated today, by and large, is the same legislation in terms of its purpose and content that has been passed in some countries—and will

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be passed in other countries that have not yet done so—in order to have a measure of uniformity in the Caricom integration movement with respect to this very important aspect of the single market and the economy.

Mr. Vice-President, these are my opening remarks and I present this Bill to this honourable Senate. I feel certain that it would receive the fullest support.

I beg to move.

Question proposed.

Sen. Orville London: Mr. Vice-President, there are many reasons, two of which are personal, why I join this debate at this time.

I must say that it is always refreshing when bills are introduced into this Senate by ministers who at one time had stood up behind a PNM tie to address the Parliament because at least we are spared that traditional diatribe about "we on this side" and "they on that side" and all about who are demons and angels, and in effect, we can focus on the issues. I am very happy that the hon. Minister has focused on the issues and suggest that the debate would be guided by his example.

In preparing for this particular debate I was also quite heartened when I looked at what went on in the Lower House. I recognized that parliamentarians in the Lower House, who tend to be at each other's throats so often, spent three hours in quiet and intense deliberations as the cameras had been turned off, the reporters had gone home, and really did some work. I, as a new parliamentarian, recognize that politics could, in fact, be a very satisfying thing if there is not so much politicking.

It is in that context where we recognize that this particular Bill has, in fact, been dealt with quite intensely in the Lower House, that we, on this side, would tend to focus our attention only on those issues about which we still have concerns.

Mr. Vice-President, we, of course, obviously support a single-market economy. We agree with the Minister that we, hopefully, would eventually reach the stage where there is free movement of goods, services, capital and, of course, people throughout the region. And, of course, we recognize that it has to be incremental.

We also must bear in mind the fact that once we are doing things incrementally, inherent in that is the realization that once we take a step we cannot

retrogress. Therefore, it is very important that in taking the step we do not do anything that might force us to have to reconsider and retrogress. In that context, we have to be very careful about some of the provisions in this particular Bill.

My first concern is about the reciprocity and uniformity which the Minister mentioned, and I was hoping that we would have had a little more detail about the degree of reciprocity and uniformity. We accept the fact that there is a model which all Caribbean countries are expected to follow, but I am certain that in each Caribbean country there were concerns that would have been raised and possibly addressed in a particular kind of way.

We, in Trinidad and Tobago, have been noted to be in the forefront in the move towards Caribbean integration, and I see nothing wrong with that. However, we must also recognize that we should not place ourselves in a position where we might be taken advantage of by others who are not as committed to the integration process. It would assist all of us if we could at least have some idea from the Minister when he responds, whether concerns were raised about various provisions here and whether there are countries in the Caribbean that have not gone as far as we are being asked to go today. It would, of course, assist us.

In that context, we would like to look at the situation involving the University of Guyana. We are aware that relationships between and among countries would be critical if we are going to further the integration process. We are also saying that whilst that is being done, we must recognize that we have to keep a balance.

Mr. Vice-President, I draw your attention to an article on page 23 of the *Newsday* of July 8, 1996, headlined "UWI, University of Guyana sign law graduates agreement". This is a situation where the University of the West Indies decided after a long period of deliberation and negotiation, to accept 26 law graduates to the law school in Trinidad. It states:

"Former Attorney General Professor Keith Massiah told reporters that the inadequacy of the UG law library was one of the constraints cited by the University of the West Indies for its previous refusal to accept Guyanese students.

"That concern has been addressed by us to the extent that the library...:"

I am quoting Prof. Messiah here.

"...was given a favourable assessment by UWI Law Librarian Velma Newton,'..."

Massiah said that—

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"...Newton confirmed that the library could indeed support a three-year programme and in fact, provided a list of recommendations for upgrading it."

What is most critical is that Mr. Massiah went on to say that the money for upgrading the law library would be taken from the grants for law and for social studies. Two questions arise here. When one takes the money from the social studies department, how would it impact on the kind of delivery of the curriculum in that particular area? How would it impact on the standard or level of the students who graduate from that particular faculty?

This, in fact, demonstrates that the University of Guyana and, by extension, the government of Guyana, by their action, that they could have been persuaded that if they were able to improve the standard of their graduates, they would be able to reap some benefits down the road. In other words, it was a period of negotiation. At a particular time they said, "You are not up to standard, therefore you cannot reap this benefit". They were prepared to do what was necessary in order to bring it up to standard.

2.55 p.m.

Consequently, they had demonstrated that they are susceptible to negotiation and if the reward is there, they would be prepared to make the necessary effort. I am wondering whether the same kind of system could not have been used and the introduction of "graduates from the University of Guyana" into this particular piece of legislation could not have been tied in with giving them some incentive if they reach a particular level.

It seems that within the University of Guyana there are different levels, so that the law students would have reached a particular level but students in other faculties might not necessarily have reached that level of acceptance. We know that the University of Guyana has not been granted accreditation by most of the universities in the Western hemisphere. We could have used this opportunity to encourage them to reach the required standard.

I am also concerned about clause 8(e) on the list of amendments. Maybe the Minister can correct me if my interpretation is wrong. It states:

- “(e) any qualification or combination of qualifications in a list—
 - (i) compiled from time to time by any authority designated by the Minister by Order as an accrediting authority for purposes of this section; and

- (ii) prescribed by the Minister by order as a list of qualifications and combinations of qualification satisfying the qualification requirements of this Act.”

The impression I am getting here is that there could be two independent authorities. This authority can decide and in addition to that, the Minister on his own can also decide that these are the qualifications.

I want to compare it with the clause on the Secretary General. There is provision for the Secretary General to consult the University of the West Indies and other agencies before the decision is made. I am wondering whether there cannot be a situation where in one case the Minister could have little or no control of this authority, because the authority could independently provide a list, and on the other hand, the authority could have no control over the Minister because the Minister could provide a list. I would like to get some explanation as to why there could not have been a provision whereby there is some level of consultation.

I am always a little uncomfortable about these open-ended types of provisions. I have no problem with the present Minister’s integrity, but I think that when laws are being made it should be done by looking at the worst case scenarios. One cannot forecast what the situation would be in 2015. Consequently, we must ensure that we make good laws so that bad people in bad times cannot take advantage of the laws. Even if this present Minister might not take advantage of these present provisions, I suggest that we should look at them very carefully to see whether another minister at some other time might not be able to take advantage of them.

Sen. Prof. Spence: Mr. Vice-President, I want to point out that in the legislation the Caricom Secretary General does not have any obligation to consult. He does it on his own regard.

Sen. O. London: I take the point, and maybe when we are looking at the legislation in relation to the Minister, we can also look at it in the case of the Secretary General. Basically, the principle would apply in both clauses. Thank you for that observation.

I am going to look at a statement made by the Minister in the Lower House. He did not repeat it here. It was a statement which I found quite interesting. It states:

“...the former US Secretary of State for Inter-American Affairs during the Reagan administration, Mr. Eliot Abraham . . . went on to say that:

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‘In the Caribbean, one common reaction to unemployment, local oppression or violence is to move to the United States. Several island nations of economies so small and inefficient that they have little to export but their population.’”

I would be very careful about how I make this statement. In these difficult times when balance seems to be a bad word, when one makes statements like these, one tends to be misquoted. There are citizens in Trinidad and Tobago who have the same perception of citizens in other countries of the Caribbean, as that ambassador had about the Caribbean in relation to the United States.

The question of marketing this particular piece of legislation is critical because we are dealing with a very sensitive situation. Sometimes many of us believe that because an idea is intrinsically good, people would accept it. In Trinidad and Tobago, everybody who has the kind of world vision which we have, would be able to look at things from a long-term perspective. However, there are persons who are looking at this particular piece of legislation and would see it as a threat. We are concerned about developing a certain kind of relationship among the people of the Caribbean, but also among the people of Trinidad and Tobago. We must bear in mind that this particular piece of legislation has to be marketed very sensitively if it is to have the desired effect. A number of persons would question what we are doing. Are we creating a situation where instead of the unemployment rate being 15 per cent, it would now be 25 per cent? Are we creating a situation where people would come here and be prepared to work for 50 per cent of what we are getting at this particular time? Are we going to create a situation where, there would be more competition for jobs and houses?

In other words, we have to understand that this piece of legislation does not only have to do with Caribbean integration but also self-interest. The self-interest of the Trinidadian and Tobagonian is not a negative thing. Unless we factor that in, this particular piece of legislation could backfire on us. Although we support this Bill in principle, we recognize the need for Caribbean integration to be given a fillip, and we accept in principle that this particular piece of legislation would have the desired effect, we must bear in mind that there are certain policies, marketing strategies and concerns which have to be addressed if this Bill is to bring the kind of difference to Trinidad and Tobago and the Caribbean without having a negative impact on the people of Trinidad and Tobago.

Thank you.

Sen. Prof. John Spence: Mr. Vice-President, I support a move in the new direction of further integration within the Caribbean region and also freedom of movement of people because I have moved from one country to another in the Caribbean. It is not strange that I would support that position. Unlike the Minister, I realize this is a step in the right direction except that it is a pity that we cannot go further at this stage. I accept the position that he has put in that regard. It makes me uncomfortable when I feel that we are allowing a certain measure of selectiveness and we are giving a privilege to university graduates which other persons in the community who are not so fortunate to be in university may not have.

3.05 p.m.

More than that, it is not necessarily the case that the skills we lack in the region are those only of university graduates. There may be some disciplines of university graduates that are not needed within the region in the country in which they are produced. In the case of veterinary science, there would be too many graduates, if we turn out 10 a year for the next ten years.

On the other hand, there are some skilled craftsmen that are not available in sufficient quantities, in the rarest countries, and that need is not being addressed. It is not only a skills bit of legislation, it is more a university bit of legislation. And that makes me uncomfortable. I am sorry Caricom has gone in that direction. I understand that the Government of Trinidad and Tobago has not itself, taken this step in the way it should have been taken, and I feel very sorry that Caricom, as a group, has proceeded in that way.

May I just refer to certain measures in the Bill which seem to me to have a bit of contradiction, or give me some difficulty in understanding precisely what is intended. With the amendment to clause 3(2), it seems to be that employment would have to be gained before the entry will be allowed.

On the other hand, some of the other subclauses seem to be allowing free entry or, if entry has been obtained, allowing indefinite duration. So I do not quite understand why this phrase is being put in: "and has gained employment in accordance with his training or experience." It does not seem to apply if one comes in other ways—through the list that the Minister has drawn up. I would be glad if he could explain to me why that phrase has been put in.

It also seems to conflict with clause 3(3)(c) which seems to remove any restriction about engaging in employment. So, on the one hand, it says you have to

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gain employment, but it seems after you come in, you can have any employment. I do not quite understand how those two relate to each other.

The point I raised while the Minister was making his presentation with respect to freedom to acquire property is that it seems that the person who comes in could acquire a residence. That is fairly clear and that is normal. When it comes to business, the legislation seems confused. If it is intended to say what the Minister said in his presentation, I do not think it says it as it is worded here. What is happening here is that a skilled person who comes in, is not able to acquire a property for his business, but if he comes in to deal in property, he could then buy and sell property. I cannot understand why under legislation that is primarily designed to accommodate university graduates, we should be picking out an activity which can be practised by anyone, not just university graduates. In all the other cases, if you are a lawyer, doctor, dentist, or engineer, you must have that university qualification, in order to practise in that field.

We have included in this Bill provisions for a real estate agent to come in, and once he has the university degree, he can practise his real estate business. If he does not, he cannot. I really would like to get an explanation of why that provision is included, it is very strange to me. Quite frankly, I do not think it should be there at all. If he has a degree in botany, he could come in and be a real estate agent. I do not quite understand that particular provision.

With respect to clause 8, dealing with the universities to be recognized in this regard, I also have the same difficulty that Sen. London has with respect to the University of Suriname. Sometimes I think one should not live even as long as I have lived because one goes back and one has been involved in things which keep coming back at one. I was once an examiner at the University of Guyana. I was also involved in the setting up of the University of Suriname. They had six such professors; myself and Prof. Radoo went and looked at the Faculty of Natural Resources. So I have had some contact with those institutions. It seems to me that we are really not being fair to UWI to put them in the same category. It may be a Caricom political decision about which we can do nothing, but I feel it is incumbent on me to state that we are in fact, downgrading the University of the West Indies, if we are equating degrees from UWI with the same status as the universities of Guyana and Suriname.

It may be that we want to have persons at different levels of qualification, not only those of the standards of UWI. That may be the case. But if we are talking about institutions other than UWI, there is one very serious omission here, and that

is the University of Technology in Jamaica, which used to be the College of Art, Science and Technology. This is why I have moved an amendment suggesting that this institution be included, because it was passed, even before it was recognized as a university, by the Jamaican government. It has a far better reputation than either the University of Guyana or the University of Suriname.

The University of Suriname may have had a particular reputation in medicine, because it had a medical school long before it had the university. It used to do medical degrees in association with institutions in Holland. Certainly, the University of Technology, as it is now called, has an excellent reputation in the region.

More than that, if we are talking about movement of skilled persons and we are talking about the type of skills that we need in this coming age, the University of Technology in Jamaica is certainly the one for which we should be looking. For example, the University of Technology gives degrees in architecture, no other institution in the region does that. Certainly not the University of the West Indies. It gives masters degrees in architecture. It also gives many courses deliberately aimed at the new technological developments taking place in Jamaica. Therefore, people with skills from that institution, to my mind, are much more important to the development of the region than persons with skills from, for example, the University of Guyana. I hope there will be support for the amendment I have made suggesting that the University of Technology, in Jamaica be included or recognized as one of the premier institutions in the region.

With respect to subclause 8(1)(b), I have a little question here, because I am not certain that the University of the West Indies is in a position to certify that one is a member of the Guild of Graduates. I had always thought that it was an independent body. I tried to check this morning but was unable to do so. I think it is just a point that needs checking, we cannot do it now, but at some time. I am not certain that UWI could make such a certification, it has to be done by the body itself.

With respect to the sort of certification that one should have in deciding who would qualify under these different measures that we are putting in place, the different ways of qualifying, in subclauses 8(1)(c) and (d) there are methods of qualifying. First of all, it seems to me that certification from the Secretary General really leaves it wide open. The Minister, in his presentation, suggested that he would consult first with the University of the West Indies or the University of Guyana, but he is not mandated to do so. If I know these bureaucratic institutions,

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sometimes a very junior person in the organization will say, yes, this qualification is valid.

Certainly, either we say we are having all skills, people at all levels—fine, I have no difficulty with that because that is what I think we should be working towards—but do not let us get them in by the back door, by having loose legislation which does not restrict it to the areas to which we say we want to restrict it. This Bill is intended to restrict it to university graduates of a certain standard, of a certain quality. That is why we must have accreditation systems and all the rest of it. I am suggesting an amendment whereby the Secretary General would need to consult with the University of the West Indies.

3.15 p.m.

Similarly, in subclause (d), where the Minister is making a certification, I think he also should consult with the University of the West Indies. Of course, I have not carried it through to the amendments but, similarly, it would apply to clause 8(1)(e). in which the Minister is drawing up lists. In the compilation of those lists of qualification or a combination of qualifications, it seems to me that it would be appropriate for the University of the West Indies to be involved.

You see, Mr. Vice-President, when one is talking about accreditation—and, again I feel that I have been in this business too long—NIHERST is one institution that I have heard bandied about. Indeed, it was mentioned in the House as being an institution which could give accreditation, and some Caribbean body has asked that NIHERST do accreditation. I was there for the birth and the early growth of NIHERST. Until we have a science and technology policy, we cannot decide what NIHERST has to do; we cannot at this stage decide that NIHERST is going to be an accreditation body. In any event, NIHERST does not have the in-house capability to do accreditation.

I sat on an Accreditation Committee that NIHERST had formed. The people from NIHERST were not doing the accreditation; they were mainly people from the University of the West Indies. What did these committees do? They referred to the peripheral Institute of Engineers or the School of Accountants and asked their opinion as to their accreditation, because even a group of six people in different fields are not in a position to do accreditation.

Thinking about accreditation some years ago when NIHERST was going in this path—it wanted to be an accreditation institution—I was invited to discuss with an

expert from the United Kingdom who had been involved in accreditation, and that is how he set out the process there.

Until recently, there were a number of universities in the United Kingdom which could grant degrees because they had royal charters. Then there were a number of polytechnics, but these polytechnics also offered degrees, not of their own making, but through an accreditation system, through an accrediting authority. That accrediting society, of course, had the wherewithal to do their accreditation because it was set up to service 80 polytechnics in the United Kingdom.

Then four or five years ago, the United Kingdom converted all of those polytechnics into universities. So whereas there may have been 21 universities in the UK, there are now over 100. When they did that, they abandoned the accreditation central authority even though there are still some polytechnics outside the system that offered degrees. It was not worthwhile having an institution with all the in-house capabilities for accreditation for just a few institutions. What did they do then? They decided that existing universities will be given that responsibility, so that for the polytechnics in the county of Oxford, the University of Oxford might be given responsibility to see whether their standards are suitable for offering degrees outside of their own institutions or some sort of associate degree.

In the Caribbean, if we are talking about regional integration, surely, we should be supporting our regional university. Any addition we may have at the national university is fine, but it is the regional institution we should be looking at.

At the University of the West Indies, among the three campuses, there are skills in every field that you can think of. They do not do architecture, but in most of the others, there are the skills that will allow accreditation recommendations to be made. This is why I have inserted the University of the West Indies as the institution which should be consulted when these recommendations are going to be made.

It is ironic that we should be talking about the University of Guyana now because in the 1960s the University of Guyana could have been a part of the University of the West Indies. It might have had the standard of Cave Hill in Barbados which, despite being a small country with a small population, has a very high reputation.

Information given to me at that time by academics in Guyana was that the then President of Guyana—who is President of Guyana now—Dr. Jagan, came to

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Trinidad and Tobago and agreed with Dr. Williams that the University of Guyana would not be set up, that Guyana would stay within the fold of the University of the West Indies. He went back to Guyana. Those academics told me, personally, that they were able to persuade Dr. Jagan to go back on the agreement he had made with Dr. Eric Williams and set up the University of Guyana. I think that was a fatal mistake that they made. So it is ironic that he should be once more involved in this system and, of course, insisting that the University of Guyana be listed in equality with the University of the West Indies.

Mr. Vice-President, while it may be that this is model legislation from Caricom, we must nevertheless, without going away from the spirit of the legislation, be showing the Caricom Secretariat, by influencing the other governments, that when they pass their own legislation it will be doing the things that we really wanted to do. We, in Trinidad and Tobago, must take the leadership in that regard. As far as I am concerned, the two countries in the Caribbean that have the lead in education are Barbados and Trinidad and Tobago. Jamaica has certainly done very well in tertiary education but the secondary school system is not quite as good.

Coming back to the University of Technology in Jamaica, I find it very difficult to understand our thinking in Trinidad and Tobago when it comes to being part of the global economy, and being part of the outside world, the global village and all the rest of it, because we do not seem to have understood some of the basic things to do with technology. For a considerable time now, I have been urging that we should have a technical university in Trinidad and Tobago. Jamaica has gone ahead with this. We have talked about a community college with the last Government, and then this Government came in and we do not know what the policy is.

In Barbados—as I have said on more than one occasion in this Senate, and I am going to say it again and again—they decided to computerize all the schools—primary and secondary. In today's *Trinidad Guardian* I am very pleased to see that private teachers are prepared to use computers in class. This is a small initiative on the part of the teachers themselves. However, in Barbados, the Government has taken a decision that each primary school will have four pupils to a computer, and each secondary school will have 10 pupils to a computer.

We talk about being the leading country in the Caribbean, but Barbados is going to be way ahead of us in computer skills and information, which is supposed to be the thing of the future, when it comes to the next century.

Mr. Vice-President, I certainly think that we should make some modifications to this Bill to have it better placed to do what we want it to do. We should think

about our science and technology policy and tertiary educational policy, so that when we come to address bills like these, we will be doing so from a position of knowing what we want and not having to take whatever will be handed to us by some regional or international organization.

Thank you.

Sen. Danny Montano: Sir, in looking at this Bill, the first thing I looked for was the real intent, purpose and motivation behind it.

In preparing my contribution, I had to look at the manifesto of the Government, and I saw nothing relating to foreign affairs. So one could get no guidance from the manifesto as to what the Government's thinking was in terms of foreign affairs or regional integration.

Fortunately, the Minister in his presentation made some comments regarding regional integration, saying that it was their intention to push the integration process forward for the benefit of Caribbean people. Further, he also stated that if we are talking about single market, this Bill did not go far enough; that we should have free movement of labour within Caricom.

With those sentiments, which I endorse, I looked at the Bill and thought it passing strange that it should be so restrictive. I am well aware of the process of how this Bill was negotiated or came about as a result of the accord that was reached in Grand Anse. It seems to me that if we are going to stand in this Chamber and talk about drafting legislation, it should not be necessarily for the benefit of Caricom. We are drafting legislation for Trinidad and Tobago, therefore we have to look at the benefits accruing to Trinidad and Tobago and, by extension, Caricom. It is not the purpose, it would seem, merely to benefit the wider community, but specifically the citizens of Trinidad and Tobago.

3.25 p.m.

Therefore, I looked at the legislation with a view to trying to determine what really is the benefit of this type of legislation to Trinidad and Tobago. What do we really need to have in this country? Do we really need to have a rather altruistic, good-natured approach to our Caricom neighbours? I venture to suggest that we already have that. We do not need to pursue that any further. What we need to pursue are things that are going to be of tangible benefit to our nation and the thrust of legislation like this, ought to be to attract specific skills that we need here. Any accord that may have been reached at Grand Anse or wherever does not

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restrict this Government or our country from inviting those citizens and nationals of Caricom of whatever skill that we decide would be beneficial to bring into our country.

For example, the Chamber that we are in here this afternoon is a most elegant one and there is another one at the next end of the building, the ceiling of which is falling down. When we look at the type of workmanship there, it is very specialized crafting work and requires a very special skill. I do not know if we have that level of skill in the country. It is not done very much any more, if at all. Can we in fact attract persons with those skills from neighbouring islands? Is that the kind of thing for which we should be looking? There are other things, too, perhaps from which we might benefit. Should we be attracting musicians? Should we be attracting artists, teachers, or members of the clergy? I have already mentioned skilled builders.

One other thing that I was very disappointed in seeing—because there is an absolute absence of policy and it is really a continuation of the policy of the former government without a stated policy which then becomes a rather *ad hoc* practice on the part of the existing Government, to bring legislation like this without having a formally declared policy.

One of the things that I thought we would have benefited from is to attract investment and at least to say to our neighbouring businessmen, “Those of you who have certain amounts of capital that you wish to bring here to invest to open businesses or whatever, we would welcome you.” After all, there would be benefits to employment and possibly even to export, because those businessmen in the neighbouring Caricom islands may very well understand the markets where they are and may very well feel that Trinidad and Tobago is a better manufacturing base than where they are. We have certain infrastructure that they do not have and they may very well feel that they may be better off if they move their plant and machinery here.

I would let this honourable Senate know that I am already negotiating that very fact with a manufacturer from Barbados, but he is limited by the absence of any facility in this legislation. He can bring his business here and under the Foreign Investment Act he can invest, but he cannot come here. That is a bit of an anomaly. He is not a university graduate; he has tremendous skill, over 20 years business skill, but he cannot come here.

Now the intent of the legislation has to be looked at. How do we in Trinidad and Tobago want to benefit from the integration process? That is what we must

be looking at and not just an isolated piece of legislation saying that we are going to let in here a very select group of persons who happen to be university graduates. I do not agree with it, but I feel that having had the opportunity to address the legislation, it is beholden on the Government to address the needs of our country and to widen the scope of the legislation.

In terms of the specific clauses, I am inclined to agree with my colleague, Sen. Prof. Spence, in the sense that, as he said, the legislation is confused. It is a little confusing in several areas which I will now point out.

Clause 3(2) was amended in the other place to include these words: “the individual must have gained employment in accordance with his training and experience”. I know how those words came about but it seems to me that we are going to have a problem with that. It seems to preclude—some of them might be self-employed, such as a professional lawyer, doctor, accountant, engineer or whatever, in the sense that he cannot come here and set up a business on his own; he must be employed by somebody else before he can come here. I do not think that is the intent of the legislation.

As my colleague indicated further down, clause 3(3)(c) seems to encompass the vision that in fact a self-employed individual could come here without first having a job. Therefore, the legislation seems to be a little in conflict. I would repeat the issue as to the investment in business property, but definitely there seems to be a conflict there and again it comes back to the issue of whether he is self-employed; the legislation seems to be very unclear. The closing paragraph of clause 3(3) states:

“...which would not apply if that person were a citizen of Trinidad and Tobago.”

I read that over and over again and it appears in several of the clauses. It appears again in clause 4(3). It makes no sense to me at all; no matter how I read it, I cannot make any sense of it. It seems to me that whatever it is trying to say is probably of no value at all and in the other session that we will have, I will certainly address that a bit more closely.

There are other clauses—clause 3(2) and clause 6. Clause 6 is the clause that deals with the ability of a citizen of Trinidad and Tobago or a Caricom citizen to apply under clause 4(2) for the temporary six-month permit at the point of entry. If he gets a certificate from his Minister, he could present that to the immigration officer at the point of entry and come in straight under that. The anomaly in this

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clause is that it says that a citizen of Trinidad and Tobago can apply for it, but in clause 6(b), it says:

“of a qualifying Caribbean Community State who was born in a qualifying Caribbean Community State.”

The difference is that a citizen of Trinidad and Tobago does not necessarily have to be born here to apply for that certificate, but we are saying that the person from Caricom who is applying must be born in Caricom.

It seems that we are setting a double standard; one for ourselves and another for our neighbours. We face the anomaly where, in fact, a foreigner who has all the qualifications under the Bill, who has come into the region, into one of the other islands, becomes a national—such as Sen. Mahabir-Wyatt—has married a national and in fact is the holder of the skill that we would like to attract, because he or she was not born in the Caricom community, he or she is excluded from the purview of this Bill. He or she cannot come here. I do not think that is the intention of the law and I would address that to the mind of the Minister. In fact, it occurs again in clause 7.

3.35 p.m.

I will deal with one last issue which is the issue of reciprocity. While I understand that it was an issue on the table in the Grand Anse courts, it does not seem, in light of what I said at the beginning of my contribution, that reciprocity necessarily has any part to play in this matter. If we wish to attract persons with specific skills—and I hope capital, whether it is intellectual or monetary—we are doing that because we want our country to develop.

Therefore, reciprocity becomes a non-issue. We should not necessarily say that because they are keeping out our fellows, we will keep out theirs. If we want to attract those individuals, we should be attracting them because they would benefit us. To adopt a “monkey-see-monkey-do” attitude is without intellectual content. We are here to discuss the future of the country. We are here to draft legislation which will redound to the benefit of the country—that will take these two little islands well into the 21st Century. We must be bold; we must not adopt restrictive policies.

There is a vision that pervades the society that we must be part of the global economy and citizenry. It is with that vision that I implore the Government to pay serious attention to the comments that we have made.

I thank you.

Sen. Prof. Julian Kenny: Mr. Vice-President, I support integration in the region, but the core issue here is really accreditation and I am just a bit worried that there can be a range of entries to the system; that people can come via the Caricom Secretariat, ministerial approval and so forth.

I remind Senators that it is possible today to take one's life experience and apply to a university—we can see them advertised in the international magazines—and get a BA, an MA or a PhD: no classes required, no residence required, and the essential thing being the fee. We have failed people at the University of the West Indies who have gone on to acquire these degrees and, in fact, function in the society, being addressed as “Doctor”. This is a fact, so I emphasize that accreditation is a very, very important issue. Sen. Prof. Spence made a point about the need to look at it a little more closely. I strongly support a rethink on that particular area.

The other point I would like to make is that Sen. Prof. Spence and I are well into—Is it our seventh decade?—and we have been at the University of the West Indies for several decades. I have had the experience of being an examiner for the University of Guyana and I would be very nervous about including the University of Guyana in the same package as the University of the West Indies.

This Bill is about university graduates and I would like to emphasize that things have changed since the campus at St. Augustine was established in 1960. There has been fairly serious changes. Indeed, I think the hon. Minister was a graduate of the University of the West Indies when the rigours of getting that degree were pretty severe. Now, because we are Americanized—we have a semester system and can now do a degree by degrees; and in fact there are some people who go on and on doing a bit here and there. I am a bit concerned about our interpretation of a university degree. I dare say that the degree of the hon. Minister's time in university was of the highest standard. I am not so sure about what has happened in the past few years. We are seeing the first cracks, and students are very, very clever in finding their way through the system and getting their degrees.

We have to rethink what this university degree is and, in particular, the points raised by Senators Montano and Prof. Spence about the skills. We are Americanized in our system now at the University of the West Indies. Let us not pretend that we are still doing the old rigorous degree of the University of London. We are doing courses across different faculties, and what has happened in the United States and what has happened here is that we now have the younger

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relative of the university degree, that is the associate degree. There are associate degrees offered by NIHERST, but there were also a range of associate degrees offered in the American system long before we were thinking of it. Many of these associate degrees are in areas which can be, and I am sure, are of vital importance to the development of our society.

We talk about going into the 21st Century. This is really, to me, quite distressing. It will be no different. It will be exactly the same the morning after as it was the day before. We will still have the vagrants; we will still have heated debates in Parliament. We will need to think in terms of people, many of them Trinidadians and Tobagonians, who get these qualifications. The areas that we will need are in computer and information technology and sometimes someone coming out of the University of the West Indies with a B.Sc may not necessarily have the skills of the person with the associate degree who has had the blinkers put on and the focus given to the particular task. So, I hope that in Caricom we start thinking in terms of recognizing associate degrees.

I might finally point out, Mr. Vice-President, that the reason I make this reference to associate degrees and areas of growth is that Mr. Bill Gates, whom many people may know, is the founder of Microsoft and he did not complete his degree. He went on because he had a skill and vision in this area. Today, everyone uses computers because of this native skill. It is not necessary to go to the university to do this.

To complete what I am saying, let us look at the full university training including associate degrees, which may be vital to the development of our society.

Thank you, Mr. Vice-President.

Sen. Prof. Kenneth Ramchand: Mr. Vice-President, I had some reflections on this Bill that led to the conclusion that the Bill does very little and we ought to have done better, but I will have to support it.

Before that, I have a complaint. If what I have to say about this Bill is even partly true, I must complain, with all due respect, and without wishing to give offence to the Minister, who, like me, comes from Cedros or Venezuela, that we come to this Senate week after week to advance legislation in an apparently *ad hoc* or hand-to-mouth way. I am not saying that this can be avoided or that the Government did not do its best, but I have a certain anxiety about priorities.

Sen. Teelucksingh's private motion on vagrancy, [*Desk thumping*] and if I may speak about myself, my own motion on the availability and accessibility and prices

of books have been languishing on the Order Paper throughout the session while many items of less import have taken up more time than we could afford.

3.45 p.m.

Mr. Vice-President, before I go into my main argument, I have three questions, a fear, and a doubt. It has actually become four questions since I have jotted that down.

The questions first. Why are we restricting ourselves only to university graduates when the persons who need freedom of movement are the non-university graduates, the ordinary working people of the region?

Secondly, why are we—*[Interruption]* I am coming to that, whether this is a “mamaguy” about the integration movement, or whether we are seeking trade. The second question, Mr. Vice-President, is: Why are we equating skills with university degrees? Why, in talking about university degrees, do we assume that a third or a lower second is the same as an upper second or a first?

Sen. Kuei Tung: Is the hon. Senator suggesting that the University of the West Indies is irrelevant?

Sen. Prof. K. Ramchand: Not at all. The University of the West Indies is one of the best universities in the world and our graduates who get first and upper seconds are better than many first and upper seconds in other parts of the world. But in all universities, when one gets down to the lower seconds and the thirds, sometimes a person has been getting his degree by degrees and after 11 years you tend to say “well, give him”. So I think we ought to be selective about university degrees and we ought to admit other kinds of skills than those covered by the conventional university degree.

My third question is in the granting of the certificates. Would it not be worth our while to appoint a central body associated with the Caricom Commission to look at all the applications for certificates, and work out the criteria for granting them? What I see in the legislation, is an attempt to find criteria and we are floundering

Fourthly—and I know this will shock Sen. Kuei Tung again—if they pass all the tests, why not give them all the rights that citizens have? Those are my four questions, Mr. Vice-President.

Now I have a fear, and the fear is, that this piece of legislation will create a wicked kind of brain drain that the more skilled persons from the other islands will

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come here, and our less skilled persons will go there. I do not feel that is a good thing for the region. It may turn out to be a good thing for Trinidad and Tobago, but I am not sure it is good for the region as a whole.

My doubt: I doubt that it is worth our while to include any non-English speaking territory in this arrangement since, if this arrangement has any long-term purpose, it will be a deepening of the integration process and this cannot be deepened throughout the Caribbean and Latin America in one go. We have to deepen the integration process with respect to the English-speaking territories first. We can widen with respect to trade and so forth, but I believe that for the time being, this kind of legislation should apply only to the English-speaking territories.

I now come to my main discussion, Mr. Vice-President. Some weeks ago, after a visit to the island of St. Kitts, the home of one of our distinguished new novelists, Caryl Phillips, I wrote an article in a daily newspaper about something I found out as I passed through Antigua. I do not know if you read the article, Mr. Vice-President. If you did, you would have been shocked; if you did not, you are going to be shocked now. With your permission, I want to quote from the article in the *Trinidad Guardian* of June 26, 1996.

“When I got to Antigua I picked up a copy of Tim Hector’s courageous and untiring newspaper, *Outlet*.

If there is one journalist in the region who deserves the title ‘Independent’; if there is one journalist in the islands who has built up a record for integrity and for dedication to helping ordinary people to know the facts and to think about what lies behind the facts; if there is one person in the region whom politicians might think of killing because he can neither be intimidated nor bought; if there is one man who puts his life where his mouth is, it is Tim Hector.

Outlet of Friday June 21, 1996 prints some documents relating to the sale of a parcel of land in a prime tourism development area near Halcyon Cove Hotel. According to the first document, dated January 2, 1996, the Governor-General of Antigua and Barbuda sold a piece of Crown land to Vere Cornwall Bird, former Prime Minister (1981—1984) for the sum of EC \$8,400.

According to the second document, dated December 29, 1995, VC Bird sold the same piece of land...”

He sold it before he bought it, because he bought it on January 2, 1996 and sold it on December 29, 1995.

"...to Marble Villas Company Limited for EC \$200,000...The Common Seal of the Company was affixed by the Secretary of Marble Villas in the presence of Aziz Hadeed, a Director of the Company.

It will be remembered that in 1995, the 86 year-old VC Bird paid a fine of EC \$200,000 on behalf of his son Ivor Bird who had been convicted of being in possession of 12 kilos of cocaine. As Tim Hector points out, the Lester Bird regime authorised the Governor General to sell a piece of land to his father VC Bird to pay the drug-possession fine of his brother Ivor Bird...

The Caricom Governments have been closing their eyes to the doings of the Bird family in Antigua for so long that their eyelids are stuck. The Caricom Governments remain on the best of terms with Mr. Forbes Burnham after the murder of Walter Rodney. The same Governments located the Caribbean Secretariat in Burnham's Guyana.

The Caricom Governments laughed from ear to ear when Mr. Burnham cynically observed at a CARICOM meeting that as a result of what he called 'the vagaries of the democratic process', a number of faces from the previous year were missing.

So can the newly formed Association of Caribbean States be expected to monitor their buddies, to condemn or show disapproval of officials in other territories who are guilty of corrupt practices? Or will 'the boys' continue to support one another by maintaining that they cannot interfere in the internal affairs of other sovereign snakes?" *[Laughter]*

3.55 p.m.

Mr. Vice-President, I do not believe that there are any Caricom states interested in deepening the integration movement or achieving political unity among the islands, or creating a regional economy, in the meaning of the phrase "regional economy", as described by economists and as described by the West Indian Commission. I shall come to that later. But let me put my statement in another way. Caricom states have made no attempt to create a sense of community or to help West Indian people to know one another and one another's islands better. No island government in the West Indies has given the slightest indication that it would be willing to surrender island nationalism for West Indian

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nationalism, or that it would be willing to be a party to any form of political unity that would weaken its hold on power in its own island and would give to any other body the right and power to intervene in the affairs of that island.

So, Mr. Vice-President, it is in the context of that proven unwillingness and that proven refusal of integration that I am looking at the present Bill. And when you read it, there are a number of terms that keep coming up. One hears about “single market and economy”, one hears about “common market” one hears about “free trade”.

When the West Indian Federation died or was pronounced dead—it was dead before it was born—one or two islands decided to find some way of working together, and, in 1965, Antigua, Barbados and Guyana, formed Carifta. It did not work until 1968, at which point the other islands joined them; Belize joined them in 1972. Carifta was working towards free trade within the region.

In 1973, at the Treaty of Chaguaramas, Caricom was established and the notion of community was added to the notion of common market. So that the implication of the word “Caricom” was that we were not simply trying to be a free trade area, we were trying to develop a Caribbean community. And then in 1989, came the Grand Anse Declaration. At that meeting the Caricom Heads established the independent West Indian Commission whose recommendations included single market and economy.

So, we have moved over the years from free trade to common market, to single market and economy. And the changes are significant, Mr. Vice-President. I want to look at what the overview of the *Report of the West Indian Commission* called *Time for Action*, describes as a single market and economy, under the heading, “What is involved”. It says that technically, a single market structured and functioning to a large extent as if it were within the borders of a single country. Such a single market would try to develop common production. We recognize the benefits to production and development that would flow from the advent of a genuine single market. It would include free movement of goods and services, an effective external tariff structure so as to reflect both the trade and production situation of the region. It would include common trade policies, *vis-a-vis* Third World countries and provisions for joint representation in international economic negotiations, free movement of capital, free movement of labour and other measures including specified support for less developed parts of the region.

Mr. William Demas, writing in a pamphlet called *Towards West Indian Survival*, argues in much the same way that the single economy means that we are

behaving as if we are one country, and this would involve central planning. For example, somebody would say, "Okay, Jamaica has many cows; Jamaica manufactures shoes, let us concentrate our leather industry in Jamaica. All the leather produced in the other islands will be shipped to Jamaica. People who have skills in leather craft can go to Jamaica and get jobs". And we would have, what economists call, economies of scale and so forth. So, the single economy has advantages in terms of the market, in terms of movement of skills, in terms of production, and so forth.

Mr. Vice-President, I do not see any of the Caribbean territories moving with sincerity towards the single economy. I see them moving towards a model that we would call trade liberalization, market liberalization. That is their approach. I came across another term "the co-operation in production approach". They are not interested in the co-operation in production approach, they are interested in the market liberalization approach.

So the phrases about deepening the integration movement that appear from time to time in this Bill, are empty. And when you talk about whether this particular Bill can create free trade or serve any economic purpose, it cannot do that either. And that is why, Mr. Vice-President, I began by complaining. There are matters of more import that need to come here and to be discussed at length and take up our time. I really do not know what this Bill is trying to do.

The governments of the region have shown that they do not wish a single economy, and they do not wish to deepen integration. This was obvious from the time of the death of the Federation. And, Mr. Vice-President, I can assure you that if these single islands think that they can deal with the larger world, that they can become viable as island nations with their own economies, they are sadly mistaken. No matter how successful any one island may be economically, it will not be able to survive unless there are other things added. And those other things have to do with cultural confidence, with knowing who you are in the world, with having a voice in the world, with feeling a great surge of happiness in your heart when the Olympics open and you see what Minshall has done.

4.05 p.m.

The federal spirit of the 1950s must not be forgotten. It was responsible for the greatest flowering of art and culture in the history of these islands; in music, dance, painting, sculpture, the calypso, in cricket, in our intellectual life at the single-campus University College of the West Indies, and in literature. The 1950s was the

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golden age of our civilization. No country in the world has ever produced altogether, in a single decade, a body of writers to match the writers who came out of the West Indies in the 1950s: Lamming, Selvon, Roger Mais, Phyllis Allfrey, Derek Walcott, Vic Reid, John Hearne, Vidia Naipaul, Wilson Harris—I am calling at random. We, ourselves, have never been able to match the brilliance and the truth of this period in our national expression.

It is not a coincidence that this explosion of creativity, hope and belief, took place when we thought we were forming ourselves into a nation, a political unity, called the “West Indies”. We felt, as one writer put it, we were being born “into the oldest native and into our oldest nature”. We saw ourselves as “the first potential parents who can contain the ancestral house”. All of this was brilliantly articulated in a novel called *The Whole Armour*. The title is very significant. It is taken from something biblical, “The Whole Armour of God.”

But what the writer was using it for was to suggest that a deepening of the integration process between the people of islands, between the people and their place, between the people and their economy, a deepening between the people and their history, would create a sense of wholeness, a sense of identity which would be an armour that would help us to deal with the economic world that was developing.

This visionary writer allows the male protagonist in the novel, a figure called Cristo, to tell his female counterpart, Sharon:

"All the restless wayward spirits of all the aeons...are returning to roost in our blood...We have got to pick up the seeds again where they left off. It is no use worshipping the rottenest tacouba and tree-trunk in the top-soil. There is a whole world of branches and sensations we have missed and we have got to start again from the roots up even if they look like nothing."

The writers of the 1950s understood the meaning of federation for our discovery of ourselves, as individuals, and as a nation in the world. What this book is predicting is if we do not go back and down into our deepest, truest selves, as a people, we would flounder in the top-soil of history and we would be swept along by wave after wave that we only think we can ride, without asking where those waves are coming from, where they are going and whether we want to go crashing there too.

A major part of the history of our region can be written in terms of the gap between our institutions which largely exists in the historic top-soil and the shadow

bride of our nascent identity, a whole world of branches and sensations that we neatly repress and deny because they seem to count for nothing in economic terms.

The problem is, how do we explore what we are and evolve institutions to serve our process of coming into the world at the same time? You are not too young to know, Mr. Vice-President, that the Federation was doomed and it died an early death because the Federal Constitution gave the Federal Government no financial muscle and because our mindless architects preferred to be little kings, lording it over their island constituencies.

Many dreams have been brought to your doorstep, Mr. Politician, but they just lie there and they die there. With the complicity of a mother country anxious to shed the burden, we rushed anti-climactically into independence, island by island. We did not make a new-born stand. We refused at the gate, and after refusing at the gate, nothing could stop everyone and everything from running away and tumbling down. Now all the IMF forces and all the World Bank's men would not be able to put us together again.

In his winding up in the House of Representatives, the hon. Minister was in a combative and rallying mood against the offensive declaration of a former US Secretary of State for Foreign Affairs. Some of the offending statements he selected were—and he was quoting from a man called Abraham:

"In an increasingly troubled region, reliance on a foreign power for security and prosperity may be the most sensible form of nationalism."

It is the kind of nonsense Michael Manley talked when he was trying to get somewhere. Second quote:

"Full colonial status may be a non-starter, but a voluntary beneficial erosion of sovereignty should not be as it were a non-starter."

Third quote:

"One thing for sure was that the anti-colonial mind-set and the insistence on full independence that marked the 1960s should be relegated to the past."

The hon. Minister is quite right to see in such remarks an attitude to us as a people that needs to be repudiated. The Minister was quick to affirm that the present Bill might contribute significantly to our demonstrating our ability to be independent and to run our countries as sovereign nations. But as man, Mr. Vice-

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President, do you not think that the dangers and temptations are great, that the forces that dictate accommodation are strong, and that, in fact, some of our policies and practices today might make some commentators think that we are, in fact, doing what the writer of the article says we have to do?

I want to return to two of the words, widening and deepening. I understand, widening, it has to do with moving out from one little island to the group of French, English, Spanish and Dutch-speaking islands and out into Latin America. So we have a series of circles in our region and we do want to widen and that widening is done mainly through trade. It is also done through a recognition that we belong to a, more or less, very general culture area. There are all kinds of things that we share: religion, music, oral arts, and so forth.

4.15 p.m.

There is a general culture area in which trade and a recognition of affinities will lead to a certain widening. I would not call it integration, not yet. But we also have groups of territories that are bound for better or for worse, by a common language, by a certain type of colonization and by certain historical partnerships they have already entered into, and this is where the deepening motion goes on. We deepen within the world that is closer to us and we widen by trade out into the larger world.

Mr. Vice-President, reading the Bill, I feel that those words are used without due attention to the significances that each of them contains. Deepening the integration process is a very difficult issue. We cannot even deepen the integration process with Tobago. We are called Trinidad and Tobago. Where is the integration process? Where is the deepening? Where are the cheaper and regular flights? One could get to Tobago but one cannot return. If we are serious about integration, we should, first of all, practise deepening the integration movement with Tobago by providing transport and subsidizing it, if necessary, to make it possible for people to commute. Why should somebody who is living in Tobago not come to Port of Spain to work? He can come to work and then go back. It is just half an hour. Why is it such a big deal getting to Tobago? Why do magistrates and doctors have so many problems travelling to Tobago? One could probably get to one's office if one is a doctor, lawyer or a judge in Port of Spain to Tobago faster than from Port of Spain to Point Fortin.

The integration movement includes getting to know the other islands, having free communication among them, having the radio and the newspaper treat them as

if they are part of us. It involves political parties that genuinely cover the different islands. One of the good things I see in this Bill that allows for movement of skilled nationals is that we might be able to sit and reform the new world group and then put those fellows out of work. We could form a genuine West Indian political party. So bring the skilled nationals, we would get together and straighten you all out and then get our federation!

The integration movement involves greater and greater contact among the islands and the peoples. The Caricom states, if they are serious, need to take that on because if they do not take that on, we will get "Humpty Dumptied" out of existence as little islands.

Both Mr. Demas and the West Indian Commission point to two possibilities that seem to me, must relate to this Bill or that this Bill ought to have been related to. The first is model "A"—the Organization of Eastern Caribbean States is moving towards political unity. They have monetary union, they have genuine free trade among themselves, and very tight and close associations and eventually they could become a federation. One model that is being suggested is that Barbados, Guyana and Trinidad and Tobago should form a federation of the same type as the OECS and that when they have ripened to a certain extent, these two federations should then federate. That would be one model. Groups of islands should form closer and closer associations and then the groups should unite.

The other model is to take the notion of the single market economy seriously, be sincere about it and try to create an economy as if it were the economy of a single country. But we would never get it because there is an unresolved conflict in our societies. The balance of power among the groups who are involved in trade and business, in government, in foreign investments and in the development of our peoples is such that no government in any of these islands has the control to say it wants a regional economy because each is dealing with forces that have different kinds of affiliations and associations. Manufacturers in the different islands would be most unlikely to favour the real implications of a single economy. That is the bind that we are in. If we want to be serious, let us recognize that and try to deal with it.

Mr. Vice-President, I support this Bill but it has only shown up for me, I suppose it has depressed me a bit, that I do not think that we will ever get a regional economy. I do not think that we would get a federation. I think we are doomed to operate henceforth as single islands doing our thing and trying to get the better of each other in what we set up and say it is a free market; it is free for

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everybody but it is free-for-all in which everybody is hoping to get more than the other. We had an example of that already in Barbados recently, but I still wish that positive steps could be taken to deepen the integration process in the first instance, in the English-speaking Caribbean either by forming the kinds of federation that the OECS has formed and then uniting those federations or by creating the single market economy as described by both Mr. Demas and the West Indian Commission.

In writing about the proposals of the West Indian Commission, I said that the word “federation” causes so much trouble to people, that what the Commission has done is to create a common law federation. I am quite happy to see a common law federation based upon a regional economy.

I thank you.

Sen. Roodal Moonilal: Mr. Vice-President, I stand this afternoon in support of the Bill to remove the restrictions on entry into Trinidad and Tobago of skilled nationals of qualifying Caribbean Community countries.

I begin my contribution with a couple of introductory remarks as they relate to issues of labour, economics and migration. It is interesting to continue with a similar tale told a few minutes ago by Sen. Prof. Ramchand, that regardless from where our foreparents have come, we are all here due to some migratory pull. Our foreparents all came here due to some pull and push factors, but they all came to labour. Some came as manual workers, some as managers of small enterprises at that time and so we are defined in a sense by labour mobility. It is interesting that a few centuries after that historical origin, we sit and debate measures to put in place the mobility of labour.

In those days the movement of labour was not defined or determined by those coming, residing and working. Such policies were put in place by metropolitan governments, by colonial masters, given their own interest for economic domination, market trade and so forth, with their own commercial interest. Today, we debate those issues and take as our point of reference our own interest as a country and as a region. If we are driven in the first instance by our self-interest as a region to look at labour mobility within the region, then it means that such a measure should benefit us first and not a foreign power, whether they are colonial or neo-colonial, but that the economies with the micro states, the smaller economies of the Caricom region from Kingston to Georgetown must all stand to benefit as one.

4.25 p.m.

I am of the opinion that Caribbean people, Caribbean skilled citizens, stand to benefit enormously by this Bill. We have often been talking about Caribbean integration and economic integration, the creation of a common market, single economy and so forth. While a lot has been said and done as far as the movement of goods and services is concerned, much has been said and done over the past decades on making the Caricom region amenable to the goods and services. As far as labour is concerned, this has always been a sort of bugbear, a sort of touchy point in the integration process, because it brings to the fore other issues. Some are political, some are very sensitive as they relate to labour market regulations, economic activities in member states and so forth. The point is, we cannot think and implement policies designed to integrate the Caribbean economies into a single market unless we address the issue of labour.

Mr. Vice-President, I intend to take a sort of labour market perspective in dealing with this Bill. If we are to look at labour on the same basis as we look at capital transfers, the movement of ideas—in fact, a first year student at the University of the West Indies in the pre-semester period, at least, would have learnt of the factors of production: land, labour, capital; ideas, entrepreneurial skills and so forth. If we focus only on one of those factors, primarily capital and we ignore labour, then we are not committed in principle and in practice to removing barriers to trade, to removing restrictions to the free movement of goods and services in the region, so we must give labour a similar emphasis, labour being a factor of production.

Sen. Prof. Ramchand has given us a bit of history on the integration movement, the beginning and end of the federation initiatives at Caribbean integration in the post-1962 period and so forth. I prefer not to dwell on that although I had a few remarks to make, but Sen. Prof. Ramchand already sort of ushered that discussion into being.

Mr. Vice-President, while many initiatives were made concerning the free movement of goods and services within Caricom since 1973—and this was set up by the Treaty of Chaguaramas, we approached integration from a much more functional perspective, calling it functional integration; there was a bit of a tentative sort of approach in dealing with integration in a much more political and community manner, given the experiences of the federation. Today, this piece of legislation, this Bill—I am thrilled, not at all frustrated, I do not see doom or anything. I am very thrilled. As a young Caribbean worker, I am excited to see this

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Bill reach the Parliament, and even moreso to participate in the debate. As a graduate of the University of the West Indies, I am thrilled that this sort of discussion is taking place and measures are being put in place to allow my skill to be used.

I understand thoroughly the debate on skill, a person's skill as opposed to a person having a university degree, but skill can also be distinguished, into manual skill—important—putting things together, whether one is a carpenter, a mason, electrician, a technician working on integrated circuits and so forth; and there is also mental skill—knowledge. At the University of the West Indies and many universities throughout the world, what we acquire is mental skill. I suggest what is required as well in the Caricom region, is not only the manual skill and certain trades and so forth, but also mental skill, and Caricom countries stand to benefit from this sort of legislation.

The history of the labour mobility dimension to Caribbean integration was traced by both the hon. Minister and Sen. Prof. Ramchand, dating back to the Grand Anse Declaration of July, 1989 which, under developmental issues, dealt with a clause for Caricom nations to begin working at eliminating the requirement for work permits and other restrictions for Caricom citizens entering territories within the region to work. This issue received attention at other Caricom intersessional meetings of the Heads of Government.

Mr. Vice-President, in the report of the West Indian Commission *Time For Action*, under the title "Towards the Single Market and Economy"—and Sen. Prof. Ramchand quoted from some aspects of this document—it dealt with the free movement of labour facilitated by the removal of impediments to intraregional travel and mechanisms for accreditation and certification for professional and technical workers. So that the thinking behind this sort of legislation—the point I am making—had received the attention of Heads of Governments, of delegations from member states and so forth, culminating in the bringing into being of this Bill. Trinidad and Tobago joins a list of countries such as Barbados, Dominica, Grenada, Guyana, Jamaica and, most recently, St. Lucia, that have embarked upon passing legislation to allow for the free movement of categories of labour.

I wanted to spend some time, Mr. Vice-President, looking at the concrete benefits to be derived by the introduction of this sort of legislation.

Mr. Vice-President: Could I ask the hon. Senator whether his contribution will extend beyond the 10 minutes?

Sen. R. Moonilal: Mr. Vice-President, I think my contribution would extend beyond 10 minutes.

Mr. Vice-President: In that circumstance, the sitting of the Senate is suspended for 30 minutes. We will resume at 5.05 p.m.

4.35 p.m.: *Sitting suspended.*

5.03 p.m.: *Sitting resumed.*

Sen. R. Moonilal: Mr. Vice-President, before we adjourned for the tea break, I sought to make a few introductory points relating, as it were, to the issue of labour market mobility within the context of a bigger goal of economic integration and the importance of labour as a factor of production having mobile status, like that of capital, goods and services.

To tie up that sort of debate, Mr. Vice-President, let me say that the ideal, as enunciated by the hon. Minister, both in this Senate and in another place, is really to have complete freedom of labour—all categories of skills—within the Caricom area. That is the ideal, and I think it is one to which we should be generally committed, in principle: moving towards the ideal of having free mobility of labour.

However, there are some problems, which other Members more qualified than I am, in economics and so forth, could explain; problems which could arise in the immediate future, in the short term, and in the long term, if we allow complete freedom of movement for all categories of labour at this juncture. Some economies are at different points in their development, and would not be ready to allow that sort of mass movement. In fact, many restrictive barriers to the movement of people revolve around the inability of nation states to embrace all categories of labour. While that may be the ideal, as I said, it may not be practicable at this time.

As far as the benefits to be derived from this measure are concerned, those can be viewed as benefits both to the home country and the sender country, meaning the country which receives the workers and the country from which the workers come. Much has been written and said about international migration and the movement of skilled and unskilled people throughout the globe, whether it be in the European continent, North America, Asia, among the Mediterranean countries, and so forth. One of the sentiments it evokes is a reactive one, and I sense that we may have also heard that sort of sentiment, today, in this debate.

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This sort of discussion often, but not always, leads to fear in the populace that incoming migrants, the workers, would in some way squeeze out, or steal, jobs from the natives. That is a very common argument, Mr. Vice-President, and I suggest that it is also very simplistic, in the sense that in this Bill we are dealing with the movement of certain categories of labour. While we can enter that discussion on the fears of certain people about a complete movement of labour, that would not be relevant in a debate such as this. When the time comes, whenever it may be, that we are debating a complete movement of labour—all categories, all professions, technical, production, skilled, unskilled—then we might hear more about the fears of certain persons.

It is clear, in terms of the receiving country, that we have much to benefit. When I say “we” I mean Trinidad and Tobago, or in other cases, other receiving countries such as Dominica, Grenada, Barbados, and so forth. They have much to benefit, because it is generally felt that when labour, particularly skilled labour, is moving, it brings with it efficiency gains to an economy, in that it allows a transfer of persons with skills to an area where they are needed much more than, maybe, the area from which they came. So there is a certain efficiency about the fact that resources are being allocated wisely—there is good use of human resources.

Mr. Vice-President, this Caricom region of five million people is relatively small, and if we cannot reach a stage where we utilize our human resource potential for the region, with such a small number, then it behoves us to think of what we can really do if we were on a bigger continent, dealing with much more complex issues of labour migration, and so forth.

This sort of measure allows for the proper utilization of labour. We can well understand that there may be territories within the Caricom region that could benefit from some of the surplus skills that we now have in Trinidad and Tobago. In bringing this measure into law, we would allow our nationals to seek employment opportunities elsewhere, where their skills and talents might be in greater demand, and benefit the countries that are receiving them. That, Mr. Vice-President, is Caribbean integration. That, in a nutshell, is helping our neighbouring states in the Caribbean by offering some of the human resources that we have been able to build up and may not need.

We may not be in a position, given the demand in our labour market, to utilize those skills which might be scarce in another economy; and sharing our people’s resources, skills, cognition, is that not Caribbean integration? It ought to be part of a macro framework for integrating our people where we can share our skills. In

terms of the home country, it is well-documented that when workers leave one country they go into another area to work and send remittances back to relatives and friends, and that also benefits the home economy.

Mr. Vice-President, in preparing for this short contribution, I had the benefit of speaking to a few university graduates, some of whom are from the University of the West Indies. I posed the question: We are going to debate this measure, what are your thoughts? They all said how happy they were that a measure such as this would be debated, joining other Caribbean states in the process, because it meant that their employment opportunities would expand!

Mr. Vice-President, I myself am now in the process of reading for a doctoral degree, and I am elated because it means that my employment opportunities would expand, as well. So when I debate this measure, I do it from my heart. I do it with a sense of joy; and other young graduates are very happy that we are looking at this Bill. I say that, in the context of the fact that according to the Central Statistical Office, in the 1995 household survey which it conducted, in Trinidad and Tobago there are over 800 university graduates, who are unemployed. Unemployed!

Now, that does not mean under-employed. It means unemployed, not having a job. But how many more are under-employed, meaning, they may have jobs which do not mesh with their skills, what they are qualified to do? We all know of stories of university graduates, with first degrees, in the public service as junior officers. I know one university graduate who is driving a taxi, and that market is already competitive. This is because they simply cannot access jobs, given the surplus of their particular skill. It is people like these, and those 800 and more, who would welcome this measure, and the opportunity to journey to territories nearby to seek employment that benefit not only themselves, but their families. Those 800 people or more would welcome this measure.

5.15 p.m.

This is not a small, trivial, minuscule Bill we are debating. This can directly affect the lives of over 800 graduates who are unemployed at this moment. This is a serious matter. It is estimated that the growth rate of our labour force would expand by 1.4 per cent per year. What it means, when one does the mathematics, is that by the year 2010 we would have a labour force of 620,579 people at a growth rate of 1.4 per cent.

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I say this, given the fact that one of the causes of unemployment in this country is the inability of our labour market to absorb the growing labour force. It is cited as a cause of our unemployment—the growth rate of 1.4 per cent, skilled 800 or more unemployed. Remember there are also nationals of this country who have benefited from tertiary education and have their university degrees, but they are abroad seeking jobs. They reside in North America, Europe and are there seeking jobs—sometimes under-employed in those countries because we do not have enough opportunities, firstly, in Trinidad and Tobago and, secondly, maybe in the Caribbean.

What prevents graduates from looking for jobs are all these barriers and restrictions, first for looking for work and then finding work. We should compliment the drafters of this Bill for having a clause which deals with people who want to look for work. Many citizens of Trinidad and Tobago—among them a group of young people who have graduated from North American and European universities—find themselves either unemployed or under-employed. A barrier to their seeking employment would be restrictions on their movement within the Caricom region. That is a serious point, Mr. Vice-President.

I say this, given our history. I am also informed that between 1820 and 1987, 2.4 million Caribbean nationals migrated to the United States of America. We are contributing to the development of that society with our human resources to the tune of 2.4 million. I am not in a position to disaggregate that figure to say exactly what these people were doing, but surely they have been contributing to building that economy and not ours.

The other fact is that, currently, there are 91,000 nationals of Trinidad and Tobago residing in New York. Many would be there—both skilled and unskilled by our definition, although we need to address that as well—seeking employment, but were prevented, either in Trinidad and Tobago or other Caribbean countries, from looking for work; being hassled by the immigration authorities, government agencies and so forth. Then one has to go through the existing requirements of applying for a work permit, having it approved and so forth.

This is a serious issue. If we are to develop as a region we cannot develop by exporting all our human resources outside of the Caribbean; then we would be contributing to building societies abroad—the stronger industrial countries. This measure in one way addresses that brain drain—that migration, out of the region, of human resources which we need. That, Mr. Vice-President, I suggest, is one of the strongest benefits to be derived from this Bill before us; confronting the brain

drain and encouraging our nationals abroad to return and work, not only in Trinidad and Tobago, but in the region.

It is interesting, Mr. Vice-President, because the latest world development report, 1995 from the World Bank called *Work Development Report 1995, Workers in an Integrated World* noted an interesting phenomenon where skilled trained, highly qualified nationals of developing countries are now returning to those countries to use their skills to develop those countries. It is happening because many of the restrictions are being reviewed and removed. Today, the southern city of Bangalore in India is known as the silicon valley of India because they have attracted many Indian nationals who were trained and who worked for some time in the United States to journey back to their country—if not exactly their place of birth—to help to develop Bangalore and the computer industry and so forth there. That is an important development which is taking place.

We complain and argue that sometimes we are 10 or 20 years behind what is happening in the wider developed world, but this is a development taking place today where people trained in the United States are going back to India. We are at an opportune moment to say that we would also embark on that process of encouraging our nationals who possess skills that we need, to return, in the first instance, to this country and, secondly, to the region to contribute.

That is another compelling reason to support this Bill. As if I have not said enough in support, there is another dimension here as well. It is really a comment on the contribution made by Sen. Prof. Ramchand on genuine integration—integrating beyond economics in terms of understanding people's lives, culture, religion, value systems and so forth.

Mr. Vice-President, there is probably no better way for community integration than to work and live among people. When we pass through the Caribbean territories—and sometimes we do so to attend seminars, business meetings and as tourists—in a short space of time we learn a few things and we have some value additions. One cannot beat the experience of living and working in a country where one is not a tourist, but is a resident. What happens is that one's scope widens and one appreciates people, their history, beliefs and culture. One embraces their whole sense of being, what they think of themselves and understand what they think would be their own destiny.

Many of us had the opportunity to live and study abroad. If one studies and lives in European capitals one cannot beat that experience by going as a tourist. I

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have been very fortunate to live and study in a European capital and what one learns by living and being there cannot be learnt from reading a book or going on a 21-day tour. I would imagine it would have been a similar experience also, if I were working there. When we encourage our nationals to go and other Caricom territories encourage their nationals to come to us, there is not only an economic benefit there. They would come and learn about us and our plural society—the rainbow—and about our value system and diversity. That, again, is a compelling reason to put in place measures such as these.

5.25 p.m.

In my view, one of the reasons why over the decades we have not been in the forefront of integration like other regions may be because we have not had enough exchanges of people. There is a fundamental difference with a cultural exchange. A cultural exchange is not one of people who would go to live, work, understand and learn. I do not think that is a trivial matter.

In the European experience, if one lives in Holland or another country, one would walk on the streets and meet people of different ethnic origins and nationalities. They would live and work; they would have problems as well, but they would also develop an understanding of cultures and nations. They would encourage each other to visit one another's countries. In the process they are educated. Maybe with this sort of measure skilled nationals would be more encouraged to spend their vacations in Dominica, Jamaica and Grenada instead of Europe and North America. It is a good sign that we are willing to interact with each other and learn.

To come back to my point, the transfer of skill and labour would be an impetus for that cultural exchange. That is another compelling reason to be in support of this measure. There is another point to be made from the economic/labour than the social. There are also some long-term benefits to be derived from this measure. To go back to my unscientific survey, one friend quickly pointed out to me that a fallout might be an over-supply of a particular skill. We reflected on it. There might be one group of workers sensing opportunity elsewhere and would flock to that island or territory. Implicit in this Bill is a forward linkage which would challenge nationals to upgrade their skills. If one is a lawyer and could practise freely in any territory, and lawyers from other Caribbean states can come here to contribute to an even greater over-supply, it would encourage them to specialize in areas where there might be a demand such as in environmental law or maritime law. It would encourage the upgrading of skills. Clearly, some skills would be in

demand, given the different industrialization policies in the region while others may not.

As we go along there are some areas we would need. Some people who follow that discussion on future skills suggest skills in the environment, technical skills, computer technology and information technology. We now have newer specializations in the social sciences which are becoming more and more, not only fashionable, but also helpful. Within the last decade people have been graduating with degrees in women and development, labour studies and human resource. There is now a centre for gender studies and a centre for the study of Caribbean monetary policy.

If there is a demand in one Caricom territory for that skill it would encourage people to upgrade their skills. I suggest that is another plus for this sort of measure. The upgrading of skills and human resources to meet the demands of the market has always been a problem in many developing countries. Now that people can travel to nearby destinations looking for jobs they would have a sense of what is required and the area of need for training. This sort of measure would assist a process of multi-skilling where one would acquire skills which were not traditionally within one's discipline.

I have given a few reasons for supporting this measure. I need to summarize by stating that we are planning and thinking about the mobility of workers within a region with a population of about 5 million. With the initiatives being made by the Minister as far as the Association of Caribbean States is concerned, we may be thinking about labour moving within a wider geographical expansion. We have noted that it may not be all. We may need to look at other necessary skills and expand here and there. This is the beginning of that process. It is important because it allows for the return of nationals; the optimum utilization of our scarce resources, and labour in the region. One country may have an over-supply of one skill and we may need it. It allows for that sort of thing.

It is no secret that Trinidad and Tobago, like many countries in the developing world, has been grappling with the process of industrial restructuring where sometimes there are fallout effects. Simply put, it is a loss of jobs. Many policy measures encourage the voluntary termination of employment in the private sector. People encourage others to move from one job to another. Many skilled nationals might be attracted to the possibility of leaving a job here to go to another territory to work because they probably do not see a career path or think that the job would become redundant in the long-term.

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If we look at it, there are many features of this Bill which would encourage the best use of our labour and economic gains to both the country that is receiving the labour and the one sending it. There are social advantages of such an exchange of human beings for the purpose of work. In the long-term this country and the region stand to benefit. It is amazing that in 1996 we are debating the movement of labour. You would have thought that an integration process would have taken care of these measures many moons ago. The discussions have started and have engaged the attention of Heads of governments and top Caribbean civil servants.

5.35 p.m.

A lot of thinking has already gone into this sort of measure, and this is why today we could sit and discuss the Bill. Having said that, the time is now ripe. I have stated some reasons in support of this Bill and, without any further ado—*[Interruption]* It is a note saying I could continue for the next two hours, of course not—I commend the Bill to hon. Senators and invite them to give their wholehearted support to this measure. Thank you.

Sen. Rev. Daniel Teelucksingh: Mr. Vice-President, we can easily recognize the commendable and tireless efforts of the previous administration and also the present Government, and the hon. Minister of Foreign Affairs, in the promotion of Caribbean integration. Nobody in the Caribbean can fault the people of Trinidad and Tobago over the years as far as the support of the integration movement is concerned. With the increasing emphasis on mega trading blocs and the grouping of world peoples, who share historical, cultural and other social ties, we in the Caribbean must appreciate our common heritage and the urgency of establishing true community among Caribbean peoples.

Mr. Vice-President, one may identify the good intentions of the Immigration (Caribbean Community Skilled Nationals) Bill 1996, which may be another worthy instrument in the integration process. Theoretically, the Bill looks good, but its implications will evoke serious concerns for us in Trinidad and Tobago. I am sure the others within Caricom can say the same thing. We certainly need to consider some concerns which have left me with nagging lingering reservations. This is not about being against the present Government. I think it more relates to a kind of political embarrassment, I sense, if we in Trinidad and Tobago appear to be fussy about the Bill. What choice do we have? We are being told that other Caricom countries have assented to similar bills.

Mr. Vice-President, in considering the provisions of the Bill, we must be aware of our unemployment situation, as previous speakers have mentioned. The unemployment figure in Trinidad and Tobago is as a runaway horse, or shall I say as a raging pit bull. Sometimes we think when we talk about unemployment that it is about the unskilled. But there are skilled nationals—some graduates of the University of the West Indies, and I am glad the previous speaker mentioned this, and he quoted some figures. At present, they find it very difficult to obtain satisfying and meaningful employment. I would like to bring to the notice of this honourable Senate, including the previous speaker who said it all, that these university graduates, 800 and more—who said they want to go and work in the Grenadines? Throughout Caricom, even in Trinidad and Tobago, we have the work permit proviso, persons have been here through the doorway of the work permit, even long before this Bill was conceived.

Our people know that work permits are there, why are they not going? It is a question I have to ask myself. Who wants to leave families and comforts? Who wants to leave an island—although it is being criticized very severely, let us say the health system—to go to work in Montserrat? I am not criticizing those islands, but certainly among us there are lesser developed territories. Well if the attraction is there, why have our people not been going? It is a question I ask myself. This is a problem that exists, yet there are very qualified Trinidadians and Tobagonians, who have their university degrees, and are remaining at home, writing endless applications and waiting.

Mr. Vice-President, I heard them say that if they have to leave they are waiting for visas to the United States or Canada, not within Caricom. So let us not fool ourselves. If they do get visas to go to North America or Europe, they would go, but not to Caricom. I do not believe there are too many barriers at present to prevent them from floating among the Caricom territories. What implications are there because of our saturated job markets; even in some of the categories listed in Schedule I of the Bill? One of the speakers said they treated that one as a simplistic issue.

Was it not reported recently, for example, that in 1995, there were 1,522 registered attorneys-at-law in Trinidad and Tobago? Add to that figure the class of 1996 from the Hugh Wooding Law School. Do we have jobs for them? I wonder! Will there be a level playing field when this Bill is implemented?

Mr. Vice-President, furthermore, looking at another category of skilled workers as listed in the Schedule, I have been advised that there are about 1,000

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medical practitioners registered with the Medical Board. The protest, for example, of the junior doctors tonight at the Port of Spain General Hospital is a spin-off of all kinds of problems we have had, even pre-dating the last administration. One of them has to do with job security. Some of these young doctors cannot understand how they are going to fit in the whole scenario of the newly devised Regional Health Authorities.

Mr. Vice-President, do you know that there are many doctors who are going to leave? They are leaving Trinidad and Tobago, but not heading for the Caricom territories. Speak to them. And some of them cannot go. For various reasons they must stay here and, sooner or later, they may have to contend with doctors from the other territories who may be coming here. We have to ask ourselves: What are the implications of the open-door policy with our over-supply of skilled nationals in some of these areas covered by the Bill? We have to ask ourselves how many Trinidadians can Antigua welcome? How many can Barbados assimilate? How many skilled non-nationals can we absorb in our system?

Mr. Vice-President, I most respectfully submit that Caricom's approach to intra-territorial migrations is without serious planning, and I see the Bill as an *ad hoc* approach to an issue with serious implications for individual territories. Will there be a brain-drain from the lesser developed Caricom territories? How good is that for regional development? It is a question that we need to ask ourselves.

5.45 p.m.

Mr. Vice-President, certain incidents within the Caribbean community recently are sending mixed signals, sometimes depressing to those territories which make tremendous sacrifices in the interest of Caribbean integration; incidents, indicative of the tension between nationalism and Caribbean unity, demonstrating territorial polarization. This is a reality and always a threat as Caricom is put on a strain since we are not fully absorbed into the spirit of West Indian unity.

I just want to continue one of the points on which my colleague, Sen. Ramchand, elaborated. Sir Shridath Ramphal, Chairman of the 1992 West Indian Commission, described the ideal of West Indian identity when he said—listen to this, Mr. Vice-President—“I am a West Indian before I am a Guyanese.”

Territorially, I personally do not believe that we are even very close to attaining that level of maturity, because island nationalism today wrestles with the fear of losing itself in West Indian nationhood. I ask myself: Should we be very distressed or disturbed? Or should we be more patient with sister Barbados’

expression of concern for the survival of pasta, soft drink or cooking oil industries threatened by Trinidad and Tobago exports to that island? How disturbed and how upset should we be if Jamaica fiercely protects its electrical fixtures industry because that industry is threatened by imports from Trinidad and Tobago? How many Jamaicans can say, "I am a West Indian before I am a Jamaican"? Looking at the responses of Barbados and Jamaica—and I am certain Trinidadians who are engaged in industries that have been threatened—they are not going to say, as Sir Shridath Ramphal, "I am a West Indian before I am a Guyanese."

The manufacturers in Barbados are not saying that, "We are Barbadians first". This is a problem that exists. We have not attained that level of maturity. I think we are some way off before we can say, "I am a West Indian before I am a Trinidadian, or a Barbadian, or an Antiguan". How much scope is there to protect one's turf? This is what we are witnessing.

We have heard all about that meeting in Barbados. What we know from the little reported is that the spirit of island nationalism and protecting territorial turf was important in all the discussions. I do not believe that the political leaders and the representatives of the various territories who were there meeting in Barbados were willing to sink and surrender what belonged to them to anything that is like West Indian nationhood. Not a bit of it! Possibly, island nations already sense how fragile and delicate are the bonds which hold Caricom together, that they are unwilling to surrender matters of national interest, be it the protection of indigenous industries or jobs for their population.

I want to add a few other related matters germane to the Bill. The first one is, notwithstanding the limited scope of the Bill, I most respectfully suggest that Government should launch an investigation immediately into the frequency with which we are finding Trinidad and Tobago passport frauds. This is an Immigration Bill, and the point I am making is directly related. We need an immediate inquiry into the ongoing passport racket.

A few months ago, maybe in November/December, 1995, discoveries were made of the tampering of the new Trinidad and Tobago passports. There was another case in July, 1996. Mr. Vice-President, I want to quote a very terrifying article from the *Trinidad Guardian* of July 5, 1996 where it was reported that police seized 51 foreign and TT passports. Listen to this part, I hope it is not correct. It states that documents belonging to the Immigration Department, including Immigration rubber stamps, were seized. As I said, I hope that is not correct. I hope that I am just copying from the *Guardian* incorrectly. How could

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somebody get documents belonging to the Immigration Department and Immigration rubber stamps belonging to the Government of Trinidad and Tobago?

The same article further went on to state something else that has Caricom implications for us as a people. I continue reading from that article. It states that a fugitive from Grenada was arrested at the Caricom jetty. He was wanted in his country for murder and a spate of robberies. The murder suspect came to Trinidad and Tobago three months ago and was hiding in a house in Arouca. All this has to do with the freedom of movement of people and protecting our own turf. What kind of turf? We have always asked ourselves—look at the free movement at the Caricom Jetty near to the Light House; it could not be freer than that. This must be the freest country in the archipelago.

Mr. Vice-President, I want to mention another point. Though the Bill facilitates and legitimizes for skilled Caricom persons freedom to practise their professions, provision for the acquisition of property and privileges for spouses and family dependants, how can we ignore, in studying and examining a Bill like this, the vast number of illegal immigrants added to the already bulging population in this country? Although illegal, nevertheless, they seem to enjoy sufficient privileges for them to remain here. Can we continue to provide the social services for additional immigrants—schools and hospitals? It is a question that we have to ask ourselves.

Mr. Vice-President, on Monday, September 26, 1988 the Government of Trinidad and Tobago initiated a programme to grant amnesty to Caricom citizens living here. The Government then calculated that it would have been anywhere in the vicinity of 100,000 persons. The Government prior to 1986, as I had been informed, calculated the figure to be more like 150,000 illegal immigrants. It would have been one-eighth of the population of Trinidad and Tobago at that time.

I would like to know what is the population situation now in 1996. Is it that our doors have not been opened? Maybe the most loving and approachable people who know about welcome are people in this country. Which other West Indian territory in Caricom has a population situation like this? Amnesty leaves all of us without any alternative. But the question we have to ask ourselves is, how much more?

5.55 p.m.

One may ask, and it is a good Caricom question, if we are going to have the freedom of movement of peoples; I still ask myself: Who will bear the burden of

intra-territorial migrations, the receiving nation or the Caribbean family as a whole, if there is one? That is important. It is a very serious Caricom problem that must be addressed.

As I close on this very important subject of population and one of the spin-offs of the Bill, immigration, one of the important suggestions that I would like to leave with the Government is, I feel that the present Government of Trinidad and Tobago needs its own immigration policy, not a Caricom immigration policy, but we need an immigration policy until such time as there is to be formulated a definitive Caricom position which does justice to all of us in the Caribbean.

Thank you, Sir.

Sen. Dr. Eastlyn Mc Kenzie: Mr. Vice-President, I have a few questions which I would really like the hon. Minister to address in his winding up.

I ask: Sir, will there be a quota system? Would allowance be made for a certain number of persons with a particular skill per year? In other words, will there be some sort of regulation of this immigration? Would someone be refused if there is an over-supply in a particular skill? Sir, I would also like to be given some clarification on whether the skilled person must have a degree, because I am a bit confused about that. Thirdly, Sir, I suggest that there will be need for a record keeping of applicants both to and from Trinidad and Tobago, so there will be a record of the number of persons and the skills they possess, who are migrating and the number of them who are entering the country.

I support the call made by Sen. Prof. Ramchand for the transfer of skills. It may sound a little far-fetched but if I may just explain. Sometimes, there is the situation in Trinidad and Tobago—and at times, I get the impression that certain skills must reside in Trinidad alone—where if a Tobagonian resident in Tobago cannot be found with the skill, we have to come to Trinidad to get the type of service from that particular skill. So I am recommending that where there is such a situation, probably the Minister of Public Administration and Information or whoever, should have the authority to transfer skills.

Let me quote two examples. Recently, we passed the Marriage (Amdt.) Bill, yet for that licence somebody must come to Trinidad to get a stamp and an okay from the Minister of Legal Affairs. Can that skill or power not be transferred to our Registrar General? I am just asking, so in winding up probably Sen. Mark can give the information as to who could be consulted.

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I refer to another very burning issue on this same transfer of skill in Tobago. There is a rule for little shops and supermarkets that if one wants to sell over-the-counter drugs, one must be outside a two-mile radius from the nearest pharmacy, then one could apply. All the groundwork is done in Tobago: the public health officer and all the doctors' visits; everything is done, but as soon as one is ready for that bit of paper, one must journey to Trinidad to get it from somebody here. Many times, it is not received the same day and one has to go and come back and go again, or one has to remain in Trinidad for two days, to get a Clerk III or IV to stamp a bit of paper.

Before we go abroad, let us christen our own children first. Let us look within the territory of Trinidad and Tobago, fix our business here before we go abroad. There are little things such as those I have mentioned which aggravate some of us within the territory and we cannot function well. We want that skill, that power to be transferred to Tobagonians, so that they can also give effect to some of these rules that affect our very lives. I am hoping for things like that to happen.

I have already spoken and have been promised, and I am going to tickle our Minister of Finance later on because I am looking forward for that skills training for our Tobago male nationals coming down to John Donaldson. I do not want to beat it because he understands where I am coming from, but I am just giving a little tickle to remind him.

Mr. Vice-President, I am in full support of the Bill but I would like to see the priority starting from what exists here. Let us rectify our own situation and then let us spread out as much as we can. I would like to see the quota. I would like to see a regulation of immigration. I would like to know that records are kept and so forth and I would really like to see our Registrar General in Tobago—that licence for this three-day marriage, let it be done in Tobago. Let our supermarkets and little shops—can you imagine, one cannot buy a cafenol in Charlotteville. One has to leave Charlotteville and go to Scarborough to buy a cafenol because over-the-counter drugs cannot be sold there unless someone comes to Trinidad to get a clerk to stamp a bit of paper after the public health officer and the doctors would have done their homework. Let us rectify those little aggravating situations and let us all, as a people, learn to live and work together in harmony. I am sure some of these people who might be coming might be needed in Tobago.

Another thing, Sir, let us try to ensure that we do not keep everything in Trinidad, because in Tobago we do need some of these skilled nationals and we

must put the infrastructure in place. Even the Tobagonian who is transferred to Trinidad to work finds it very difficult to take up the privilege. On the other hand, we the Tobagonians are so welcoming that as soon as a Trinidadian is transferred to Tobago to work, we go all out and open both arms, accepting him or her and giving that person all sorts of nice hospitality. If you think I am making fun, Sir, ask the Minister of Finance.

I advise that some little home shopping is done before we expand and open up our arms to everything. But I am in full support of the Bill, Sir, and I thank you for listening.

Sen. Philip Marshall: Mr. Vice-President, my contribution in support of this Bill would be very brief.

I believe it was Victor Hugo, the 19th century French writer and philosopher, who said: There is nothing more powerful than an idea whose time has come. I was wondering whether this Bill, in fact, would be an idea that would eventually turn into an innovative piece of legislation. The difference between an idea and an innovation, of course, is that an idea is a thought capable of being implemented whereas an innovation is one that rarely is implemented.

The Wright brothers thought about the idea of flight; they invented the aeroplane but, in fact, it was basically of no use as a method of transport until the DC3 made commercial flight viable. That was, therefore, an innovation; an innovation that was possible because of the specifics of things like wing flaps, a water-cooled engine, retractable landing gear and so forth.

6.05 p.m.

What is the point of all this? This is a Bill with a good idea. Is it pragmatic? Is it practical? Let me just refer to a World Bank study of a few years ago. I believe it was somewhere between 1990 and 1992. It suggests that particularly in the smaller Caribbean territories, labour shortages are concentrated in professional, managerial and skilled occupations.

Turning to specific country studies, for example, a recent forecast for Jamaica, conducted by the Planning Institute, estimated that the annual vacancies for trained workers were between 46,000 to 58,000 per year compared to an estimated annual supply of 12,500. The main shortages were in respect of clerical, sales and service workers.

In Guyana, the forecast by the World Bank, is approximately 3,500 skilled, professional and technical workers per year. In Antigua, there were approximately

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7,000 non-Antiguans mainly employed in the construction and tourism industry as skilled or semi-skilled workers. There are approximately 2,000—3,000 expatriates in the hotel industry while the output for the local hotel school is 200. In Grenada, there is an annual shortfall of 750 professional or skilled workers.

What is the point of all this? This is an idea. I would like to ask our Minister who attends these fairly frequent, and I am sure, hospitable Caricom sessions: Do we get down to the details of really talking about a Caribbean labour market information system? Do we get down to the details of doing some form of central planning in terms of our various territorial or national economies, where we are able to say what we are good at in Trinidad and Tobago, Grenada or Jamaica? What are our key competencies? Where, as a group of territories, can we build upon the synergies of our natural competitiveness and where as a region can we face and compete with the globalized environment? If we do not do this, we will not be able to survive as a region. We have to get to the point where we realize that we are now on a burning platform. The answer is not the transfer of professional or skilled people. The answer is understanding the demands of the labour market. Universities do not create employment. Universities may equip people; they may help people be more mobile where labour opportunities exist, but what creates employment is the specific industry sector and the demand for workers in that sector.

Let us, at the different territorial levels, really undertake detailed labour planning and marketing studies; identify the shortages or otherwise and put in detailed implementation schedules equivalent of “the landing gear” for our regional countries so that we can make this good idea an innovation, an implementable fact.

Sen. Deborah Moore-Miggins: Mr. Vice-President, it gives me pleasure this evening to rise in support of this measure before the Senate and also to interject because so much has been said about the perspective of Tobago.

What does this measure mean to the people of Tobago? Over the years, Tobago has been implementing what this measure is providing. It has been moving out the skills of its nationals both to Trinidad and further afield. Tobago has witnessed the absence of institutions for even developing the skills base of its nationals and, as a result, its residents have been forced to move out to seek such further training and development as deemed fit.

Because of this moving out to attain skills, we have found that there has not been a corresponding moving back in to disseminate the knowledge and

information which has been gained for the benefit of Tobago. The only movement back to Tobago which took place was a quick one to pack bags and to get back to the place where they were trained, or further afield to develop their skills. No one can fault this system because, after all, when we are trained and become professionals, we need constantly to have the benefit of those in our fraternity, of differing views to develop ourselves, and one must note that the course of development which has taken place in Tobago has not really encouraged this yearning in any person who has been trained.

My own view is that there has been, over the years, no meaningful analysis of Tobago's strengths and weaknesses and how those strengths can be developed or how the weaknesses can be addressed to ensure that Tobago plays that meaningful part in the development of this nation. I suggest that this is what this Bill holds for Tobago today. It speaks of a commitment to assess the natural attributes of that island and to fashion a training strategy to meet the development of those attributes; to meet the building of the positives that the island possesses and to meet the training of a workforce that can easily interact and hold its own, not only in Tobago, but in the wider community.

When I talk about those attributes, I speak about fertile agricultural soil; waters rich in fish life; a tranquil and pristine environment ideal for a well-thought-out tourism industry and a fairly literate, small, but interrelated population. I suggest that any administration that understands what developing a twin-island state entails, would appreciate these facts and demonstrate a conscious commitment to develop these attributes by training a large portion of the Tobago workforce to protect and build on these strengths instead of the scenario which exists today.

Let me just trace what that scenario is. There is a hotel school which caters to the training of young people of this nation in developing skills in the tourism industry. That hotel school is located in Trinidad with no branch at all in Tobago, which boosts the tourism plant and product.

6.15 p.m.

There is a Caribbean Agriculture Training Institute again located in Trinidad, and there is no provision made for training of nationals of Tobago in that very important resource area.

There is a Fisheries Institute, again located in Trinidad and there are no provisions for providing the citizens who reside in Tobago with immediate access to these training facilities.

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There is the John S. Donaldson Technical Institute and the San Fernando Technical Institute, again there is none located in Tobago to provide the kind of skills that the Tobagonian needs. This is what has developed over the years, Mr. Vice-President, and this is why I am saying that this Bill must hold implications for the future development of Tobago.

That is not all. There is the Lands and Surveys Department which is fully located in Trinidad, and there is also the Mount Hope Medical Complex for training of persons in medical sciences, again located in Trinidad. There was no thought for the accessing of these training facilities by the people of Tobago.

There are two airports; the Crown Point Airport and the Piarco International Airport but one finds that the facilities for training persons in the repair and maintenance of the aircraft are all located at Piarco International Airport.

There is a university with several faculties which is located in Trinidad and there is not one faculty located in Tobago so that we can, at least, develop some expertise whether it is in agriculture or some other discipline in that island.

For years, Mr. Vice-President, even at the level of the primary school, there was this inequality and imbalance whereby students in Tobago who were deemed failures at the Common Entrance Examination actually passed, but they were told they failed because there were not sufficient secondary school places in Tobago. So even at that stage the problem of the imbalance began.

As Sen. Dr. Mc Kenzie has said, to date, there are several services which are still being performed in Trinidad to which the people of Tobago have no immediate access and they have to get on a plane and travel to Trinidad on a regular basis. There is a whole list of them and, fortunately, this Government is in power and there is an immediate commitment to addressing the needs of the people of Tobago insofar as these services are concerned. They are very fundamental services pertaining to tests being done at the hospital. We have the spectacle of every two days someone has to come from the Tobago hospital with blood, urine and so forth to Trinidad to get them tested for AIDS and other diseases. That is the kind of development that has taken place in this twin-island of Trinidad and Tobago where over the years there has been one island being the more industrialized, the more developed, the richer of the Caribbean, and the smaller island being the least developed, the poorest, the most untrained and most unskilled in the Caribbean.

What this measure is doing is sending a signal as to how a twin-island state must be developed and if there is anything this Government is signalling by the

bringing of this measure insofar as the people of Tobago are concerned, is an appreciation that when one talks about the movement of skills, one talks not only of skills concentrated in one of the islands, but one first understands that there has to be a rational distribution of those skills throughout the length and breadth of that twin-island state before one can talk about moving out of skills. That is why I am so much in support of the points raised by Sen. Prof. Ramchand and Sen. Dr. Mc Kenzie in terms of what is the relationship between Trinidad and Tobago at the present time.

I say, Mr. Vice-President, that relationship has in the past been fuelled by inequality; unequal development; unequal distribution of resources; unequal training facilities; unequal skills and today this Bill is perhaps holding out a ray of hope by saying, now that we have skills under our microscope, how does that apply to that other part of this twin-island state? How does it develop the ease of travel, to which Sen. Prof. Ramchand referred, between nationals of this twin-island state? Are we going to have the spectacle where it is going to be easier to travel from Grenada to Trinidad or to Tobago than it is to travel from Tobago to Trinidad, and from Trinidad to Tobago? Are we going to continue to have the spectacle where magistrates, doctors and other skilled professionals refuse or dodge, as much as they can, their appointments to Tobago because the facilities are not available to have them perform their skills in the way they would like? Are we going to continue to have the spectacle where on Mondays and Fridays those professionals who live in Trinidad do not appear at their desks in Tobago? That has been the case for years, Mr. Vice-President.

With respect, this Government is saying, that what this Bill is seeking to do, or what it can have the effect of doing, is making an intelligent analysis of the training needs of the entire population of Trinidad and Tobago. What we are hoping this Bill can signal, is an attempt to have both islands contribute equally or at least meaningfully to an easy exchange of the skills, firstly, between them and, secondly, between the country and the other Caribbean islands.

Mr. Vice-President, I must support strongly the plea by Sen. Dr. Mc Kenzie and I can only say that this Government will not hesitate to respond in terms of the long outstanding matters that she has raised and to say that they are part of a bigger problem of services which the Government is currently addressing, which must be performed in Tobago at some later date.

I must confess however, that my reading of the Marriage (Amdt.) Bill which we passed not too long ago, does not support the interpretation which Sen. Dr.

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Mc Kenzie has put forward, because my document suggests to me that the District Registrar—and there is one located in Tobago—has the right to do everything to facilitate the right of that couple getting married in Tobago. My reading of the Marriage (Amdt.) Bill—I do not know if I have it wrong but this is something that I would draw to her attention afterwards—suffice it to say, does give to that District Registrar, all the powers needed to conduct and carry out marriages between foreigners in Tobago if and when those services are required. If they do not, I suggest it is a simple administrative process to allow the District Registrar in Tobago to carry out those functions.

Thank you, Mr. Vice-President.

ADJOURNMENT

The Minister of Public Administration and Information (Sen. The Hon. Wade Mark): Mr. Vice-President, before adjourning this Senate to Thursday, July 25, 1996, I will like to indicate to all fellow Senators that on Thursday we are going to be here at 1.30 p.m. until, probably, about 10.00 p.m to ensure that both this Bill that we have to conclude and the Unfair Competition Bill are completed on that day. I beg to move that the Senate do now adjourn to Thursday, July 25, 1996 at 1.30 p.m.

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 6.25 p.m.