

*Leave of Absence*

*Tuesday, June 30, 1998*

**SENATE**

*Tuesday, June 30, 1998*

The Senate met at 1.30 p.m.

**PRAYERS**

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

**LEAVE OF ABSENCE**

**Mr. Vice-President:** Hon. Senators, I have granted leave of absence to Sen. Dr. Daphne Phillips from sittings of the Senate with effect from June 26, 1998. I have also granted leave of absence to Sen. Prof. Kenneth Ramchand from today's sitting. Leave of absence has also been granted to Sen. Danny Montano from sittings of the Senate for the period June 29 to July 20, 1998.

**SENATORS' APPOINTMENT**

**Mr. Vice-President:** Hon. Senators, I have been advised that His Excellency the Acting President has appointed Mr. Vincent Cabrera a temporary Senator with effect from June 26, 1998 and continuing during the absence from Trinidad and Tobago of Sen. The Hon. Dr. Daphne Phillips.

I have also been advised that His Excellency the Acting President has appointed Mrs. Joan Yuille-Williams a temporary Senator with effect from June 29, 1998 and continuing during the absence from Trinidad and Tobago of Sen. Danny Montano.

**OATH OF ALLEGIANCE**

*Mr. Vincent Cabrera and Mrs. Joan Yuille-Williams took and subscribed the Oath of Allegiance as required by law.*

*Joint Select Committee*

*Tuesday, June 30, 1998*

**JOINT SELECT COMMITTEE  
(MEMBERSHIP)**

**Mr. Vice-President:** Hon. Senators, I have received communication from the Hon. Speaker of the House of Representatives, Hector McClean which reads as follows:

“June 26, 2998  
Sen. Philip Hamel Smith,  
Vice-President of the Senate,  
19 St. Vincent Street,  
Port of Spain.

Dear Mr. Vice-President,

Appointment of Members to serve on Joint Select Committee:

At a sitting of the House of Representatives held on Friday June 26, 1998, the House approved the following resolution:-

RESOLVED that the following members of the House of Representatives be appointed to serve with an equal number of the Senate on the Joint Select Committee of Parliament established to consider the ‘Working Paper on Reform of the Management Structure of the Parliament of Trinidad and Tobago’ and to report to Parliament thereon:

Mr. Ramesh Lawrence Maharaj  
Mrs. Kamla Persad-Bissessar  
Dr. Rupert Griffith  
Mr. Chandresh Sharma  
Mr. Hedwige Bereaux  
Mr. Martin Joseph

Yours sincerely,

/s/ Hector McClean, MP  
Speaker of the House of Representatives.”

*Petition*

*Tuesday, June 30, 1998*

**PETITION**  
**Request for Hansard—Darren Thomas**

**Sen. Diana Mahabir-Wyatt:** Mr. Vice-President, I wish to present a petition on behalf of Derek Ali of #90 Maraval Road, in the city of Port of Spain, in the Republic of Trinidad and Tobago.

I now ask that the Clerk be permitted to read the petition and that the leave requested by the Petitioner be granted.

*Petition read.*

*Question put and agreed to,* That the leave requested by the Petitioner be granted.

**PAPERS LAID**

1. Annual Report of the Trinidad and Tobago Securities and Exchange Commission for the year ended December 31, 1997. [*The Minister of Finance (Sen. The Hon. Brian Kuei Tung)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the Accounts and Financial Statements of the Committee of the San Fernando Carnegie Free Library for the year ended December 31, 1996. [*The Minister of Public Administration (Sen. The Hon. Wade Mark)*]
3. Report of the Auditor General of the Republic of Trinidad and Tobago on the Accounts and Financial Statements of the Naparima Bowl Board for the year ended December 31, 1995. [*Hon. W. Mark*]

**PRISONS (AMDT.) BILL**

Bill to amend the Prisons Act, Chap. 13:01 [*The Minister of Public Administration*]; read the first time.

**ARRANGEMENT OF BUSINESS**

**The Minister of Public Administration (Sen. The Hon. Wade Mark):** Mr. Vice-President, in accordance, with Standing Order 25, I seek your leave and that of hon. Senators to dispense with notice with respect to a Motion which I propose to move, and which I referred to earlier on in the proceedings.

*Agreed to.*

**JOINT SELECT COMMITTEE  
Membership**

**The Minister of Public Administration (Sen. The Hon. Wade Mark):** Mr. Vice-President, I beg to move the following Motion:

*Be it Resolved* that the following six Members of the Senate be appointed to serve on the Joint Select Committee of Parliament established to consider the Working Paper on the Reform of the Management Structure of the Parliament of Trinidad and Tobago and to report to Parliament thereon:

Mr. Wade Mark  
Brigadier Joseph Theodore  
Mrs. Carol Cuffy-Dowlat  
Mrs. Nafeesa Mohammed  
Prof. John Spence  
Mrs. Diana Mahabir-Wyatt

**INTERRELATED BILL**

**The Parliamentary Secretary in the Ministry of Housing and Settlements (Sen. Carol Cuffy-Dowlat):** Mr. Vice-President, the Sugar Industry Labour Welfare Committee (Inc'n.) Bill and the Sugar Industry Special Funds (Amdt.) Bill are interrelated and, I therefore, seek leave of the Senate to deal with them together.

*Leave granted.*

**SUGAR INDUSTRY LABOUR WELFARE  
COMMITTEE (INC'N.) (AMDT.) BILL**

*Order for second reading read.*

**The Parliamentary Secretary in the Ministry of Housing and Settlements (Sen. Carol Cuffy-Dowlat):** Mr. Vice-President I beg to move,

That the Sugar Industry Labour Welfare Committee (Inc'n.) Bill be now read a second time.

Mr. Vice-President, it is my privilege to present two short pieces of legislation to this honourable Senate. The language in these Bills seems simple and straightforward, but the Bills do impact significantly on beneficiaries and potential beneficiaries of the Sugar Industry Labour Welfare Committee settlements.

These Bills seek to perform two functions: Firstly, to amend the Sugar Industry Special Funds Act, Chap. 64:04, to enable the Sugar Industry Labour Welfare Committee to supplement its loan funds by the revenue derived from the collection of service charges. What this means in layman language is that we are about to impose a fee for services that were previously offered free of charge. These services are listed in the Schedule to the Bill.

**1.50 p.m.**

Secondly, we would like to amend the Sugar Industry Labour Welfare Committee (Inc'n) Act to enable any sums realized by the Sugar Industry Labour Welfare Committee, by way of service charges after deduction of proper expenses, to be paid to the Comptroller of Accounts and placed to the credit of the Sugar Industry Labour Welfare Fund. Again, in layman's language, this means that it allows the sums collected to be paid to the Comptroller of Accounts, after deductions, and placed to the credit of the Sugar Industry Labour Welfare Committee.

Mr. Vice-President, in asking Senators to support these amendments, I will give some background information on the circumstances which necessitate a change in the legal instrument.

It would be noted that the Act in question was established during a period in our history when we were still reeling under the remaining vestiges of colonialism. In response to recommendations from the externally appointed Salisbury and subsequently Moyne Commissions, the Sugar Industry Labour Welfare Committee was established to address the squalid housing conditions which the bank system presented to sugar workers.

The Sugar Industry Labour Welfare Committee had a very chequered history, as it sought to provide some facility to those persons who worked in the sugar industry under very austere and atrocious conditions of human habitation. It is in this context that it is necessary to understand the need for this legislation.

When the Sugar Industry Labour Welfare Committee was established in 1952, there was no Ministry of Housing and Settlements, *per se*. Indeed, the creation of such a ministry with specific responsibility is a recent phenomenon arising out of Government's recognition of the need for physical development from a holistic perspective.

What was obvious was the stance adopted by the colonial government. They lodged the responsibility for the Sugar Industry Labour Welfare Committee within the portfolio of the Ministry of Agriculture, not only for the reason that there was no department of housing, but moreso because sugar is rooted in an agricultural base and the necessary funding for all the services was sourced from a levy on every tonne of sugar which was exported. To date, the Sugar Industry Labour Welfare Committee continues to be funded through the said levy of TT \$2.40 for every tonne of sugar exported.

Soon after limited autonomy for self government was introduced in the late 1950s and a separate government ministry created for housing in the early 1990s, the administration and management of the Sugar Industry Labour Welfare Committee was shifted from the Ministry of Agriculture and placed under the housing portfolio. The legal responsibilities, however, remained with the Ministry of Agriculture and this was only settled in 1997. This shift facilitated coordination in matters of housing policy and uniformity of approach in tackling housing and, indeed, all shelter issues.

The Ministry of Housing and Settlements today is a result of the recent reconfiguration of agencies under the Ministry, bringing in the Lands and Surveys Division, the Hydrographic Unit, which deals with the mapping and testing of coastal waters for salinity and silting, the Urban Development Corporation of Trinidad and Tobago and the interim National Physical Planning Commission, which has now resulted in an expanded Ministry of Housing and Settlements.

I am pleased to report that the Ministry is now strategically poised to better the planning, settlements and physical development of our twin-island state and to attempt to deal with retention ponds and catchment areas and better manage the physical resources of our country.

The acute housing shortage has presented a challenge to governments worldwide, but this Government is tackling the problem head-on. However, to do this effectively, we need to muster all our resources and agencies which are engaged in the delivery of shelter.

The Sugar Industry Labour Welfare Committee is a crucial link in the delivery of low-cost housing, especially to low income sugar workers, cane farmers and the Caroni (1975) Limited diversification programme.

I wish to point out that the only source of funding for the Sugar Industry Labour Welfare Committee is a cess of TT \$2.40 for sugar exported, which was

introduced by the colonial government in 1952. The cess yields an average of \$140,000 per year, barely sufficient to erect two houses as funded by the Sugar Industry Labour Welfare Committee. This amount is grossly inadequate to cope with the clientele and the constant increase in the cost of building material.

Given the limited financial resources, which represent the revenue from the cess and which is utilized as a revolving fund, and the funding from government for meeting its annual recurrent expenditure of approximately \$2.2 million, it is nothing short of miraculous that we recognize the output being achieved in terms of settling workers on lands belonging to the Sugar Industry Labour Welfare Committee, providing stability for these families and adding to the fixed capital formation in the form of housing construction and rehabilitation, which is part of our fixed national assets.

Any achievements have been by virtue of the indomitable spirit and will of the people to provide for themselves with such limited resources and tremendous self-help. To date, the Sugar Industry Labour Welfare Committee has provided loans and facilitated the construction of approximately 20,000 three-bedroom houses within the sugar belt. I issue an invitation to all my colleagues to visit any one of the Sugar Industry Labour Welfare Committee's 21 housing settlement sites and view for himself the achievements in utilizing very limited funding to achieve the dreams and visions of this section of our society.

It is in this context that we must view the introduction of these two Bills. The Sugar Industry Special Funds Act, Chap. 64:04 is being amended by inserting after section 7, the following section:

“Service Charges	7A. There shall be paid to the credit of the Sugar Industry Labour Welfare fund the service charges paid to the sugar Industry Labour Welfare Committee in respect of the services specified in the Schedule.”
---------------------	--

The schedule of services is outlined in the Bill.

The Sugar Industry Labour Welfare Committee (Inc'n) Act must necessarily be amended as well to give effect to the first amendment. Section 8 of Chap. 64:05 is to be amended by inserting after the word “sale”, occurring in line 3 of section 8, the words “or service charges.”

It is envisaged that with the introduction of a system of service charges, an estimated sum of \$100,000 per annum would be collected by the Sugar Industry

Labour Welfare Committee and utilized as part of its development programme. I wish to emphasize that this is only one aspect of the innovative mechanisms which are being used to fund the Sugar Industry Labour Welfare programmes. The others are the recycling of funds where this process entails that all repayment receipts to employees and cane farmers' deductions be made available to other borrowers.

Also, in 1995 the Sugar Industry Labour Welfare Committee mounted a concentrated and successful arrears collection initiative, although it is important to note the default payments by beneficiaries of the Sugar Industry Labour Welfare Committee is quite small as compared to other Government lending institutions. As prudent financial management would allow, any surplus funds are also used to increase short-term fixed deposits and for the acquisition of units.

In the specific context of the service charges, I wish to advise this honourable Senate that the Sugar Industry Labour Welfare Committee is only emulating precedence of similar government agencies such as the National Housing Authority and the Trinidad and Tobago Mortgage Finance Company Limited.

It is the norm that service charges are provided for, where funding is provided by the private sector for similar services. Even though these charges now being levied by the Sugar Industry Labour Welfare Committee are somewhat lower than those administered by the National Housing Authority, it is important to note that the wages of sugar workers and cane farmers continue to be among the lowest paid wages in Trinidad and Tobago, especially when we consider value for money. This explains why the charges would be lower than those being charged at present by the National Housing Authority.

**2.00 p.m.**

Mr. Vice-President, the revenue expected to be derived from these service charges approximate \$100,000 and will go a long way in supplementing the Sugar Industry Labour Welfare Committee Development Fund and will greatly assist in providing the much needed assistance in alleviating poverty, creating sustainable development and increasing the national capital formation.

Mr. Vice-President, this honourable Senate is therefore asked to approve the foregoing amendments to the Sugar Industry Special Funds Act and the Sugar Industry Labour Welfare Committee (Inc'n.) Act.

Mr. Vice-President, I beg to move.

*Question proposed.*



**Sen. Joan Yuille-Williams:** Mr. Vice-President, I thank you very much for the opportunity to make a brief contribution. I want to thank the hon. Senator for that background history into the Sugar Industry Labour Welfare Committee.

In trying to prepare for this debate, my first notion of this committee before looking at the history, was that this was a private committee, and I think a lot of people over the years might have thought so. We must remember this is a Government agency and that is the first thing we had to say. Therefore, the success of this committee had to be the success of the government of the time who funded this committee. Let me say quite clearly, that my research tells me that the administrative cost for these committees are provided by the Government.

Mr. Vice-President, therefore, when we hear people talk about the housing policy in Trinidad and Tobago, and how over the years the National Housing Authority had been concentrating on certain persons in specific areas, this Bill today before us clearly gives another story, that the government had not been—as people have been accusing the governments of—looking only at particular housing areas. Here we have Government investing in areas which people had not normally been calling government areas for investment. Let me tell you quite clearly what I mean.

This fund started with a government grant in the 1950s for sugar workers; cane farmers as you call them. During 1996 it was amended to include other categories through the diversification programme, as the Senator said. In 1981, the records will show and it must be made quite clear, that the government of the day, which was the PNM government, had purchased an additional 2,300 lots of 5,000 square feet to be given to the workers in these areas to be paid over 20 years. I want to call the areas because it is significant since people would not be thinking of these areas as areas the PNM had concentrated and made a sterling contribution in terms of housing. They are Macoya, Caroni Savannah, Dow Village, Cedar Hill, Bien Venue, Waterloo, Picton, Forres Park and Union. The PNM purchased those 2,300 lots to be handed over to be used by the Sugar Industry Labour Welfare Committee. I think these early lots were about 50 cents per square foot, if I could remember. They were at a very low rate and one would imagine why at the time, because sugar workers were supposed to be among the lowest paid. I could agree with the early commissions which said to do something about the sugar workers at that time. That was very meaningful and no one could say no to that.

However, later on the government started developing land and selling them on renewable leases of 30 years. By 1981, quite rightly, 20,000 workers benefited from the work of the PNM government. [*Desk thumping*] People need to know it and I am happy for this opportunity, through this Bill, to let people know that. This was one of the best kept secrets in terms of how politics work. Therefore, when we begin talking about PNM's housing policy and areas and people who were affected, we can see it was really a national policy. It allowed the sugar workers to have a special policy; and continued for all those years to let the sugar workers have that special policy. People need to know that.

Mr. Vice-President, times have changed and we must move on. I am happy that this committee has been moved from agriculture to housing. Therefore, it is another government agency; this portfolio is there in housing and it is still for low income workers. When I looked at the other programmes in housing, this one is different. This programme is the only programme which affords seasonal workers an opportunity to own their homes. This is the only programme which will give loans for houses to be built on rented land. Therefore, I ask the question at this point in time as we move on: are sugar workers the only seasonal workers in this country? We have moved to housing now and I am sure you are looking at the whole portfolio.

Whereas at the beginning this was important to the workers, I am saying at this time, therefore, we need to look at the entire country and see whether there are not other persons who need to benefit from this programme. It is called sugar, yes, because it started off with the sugar workers, but there are citrus workers in here now. Therefore, let us forget the name. The basic thing is low income workers, and it is in the right place—the Ministry of Housing and Settlements. [*Desk thumping*]

One survey showed that 40 per cent of the workers in Trinidad and Tobago had no access to housing. Here is an opportunity now for us to broaden the base. I think sometime before it was proposed and had not been accepted. Should we not use this programme for other workers? What about the workers in the cocoa industry? Can they not qualify? What about the low income workers in Local Government? Can they not qualify?

Although I say as you would, that sugar workers are low income workers, they are not the lowest and there are other workers as low as sugar workers. Therefore, since this is a Government agency, it is time that other workers benefit from this

programme. The interest in this now is 5 per cent; much lower than interest anywhere else. All I am asking the Government to do, is to extend the programme so that other workers can benefit. I am sure they would think about it because they are interested in people all over the country. This is the age where you look at programmes to see who can benefit. No longer should this remain only with sugar workers or those employed or have some nexus with Caroni. We have to move out of this.

Today the Bill is asking us to approve some service charges. I also heard that the service charges are even less than those paid by other low income people who are in other programmes, all in the same ministry. People with lower income are probably trying to get some of the other programmes. I am saying, extend this facility to others. It will look discriminatory after some time because poverty is here with us and there are so many poor. I am sure you are not going to overlook them. Today you are asking us to approve some service charges to supplement this fund.

Let me tell you something. During the last administration—the last board just before yours—when they came into service, the arrears to this committee, I understand, exceeded \$5 million. I heard the Senator talk about a few thousand dollars as being the amount to be divided among the poor. One of the things that the committee had to do, was to find a method to get that arrears. Probably it might be political or other reasons. People have been saying other people have not been paying; all sorts of things, but that was the case.

This is not a weak fund at all because arrears exceeded \$5 million. During the period, 1991—1995, I understand that \$3 million was collected in arrears through a programme. A number of people who could have afforded it, did not pay. In fact, some of them felt they should not pay; it is theirs. When you are talking about helping, one of the things you must do is to collect that arrears because that is where the money comes to continue; the money is invested and it grows. That is one of the problems you have been having. My research tells me, and I am subject to correction by the hon. Senator, that at the end of 1995, the fund had \$8 million. I am calling these figures because I think the hon. Senator gave us some figures there in terms of what is to be divided among the poor people. What has happened since 1995? Well, of course, the arrears increased. People stopped the payments and the arrears increased, my figures tell me, to \$6 million outstanding. Some of those who retired did not feel it was necessary for them to repay.

Mr. Vice-President, we have a bigger problem than that. Do you know who owes the most to this committee that is helping the lowest paid—the poor? Caroni (1975) Limited is now owing, I understand, anything in the vicinity of \$3 million to the Sugar Industry Labour Welfare Committee. You have come this afternoon to ask us to improve service charges to supplement a fund; you have come here to ask us to charge \$1.00 for endorsement fee for copying documents; \$25 for statement of indebtedness; \$500 for complete sets of house plans; \$100 for violation report on property; and \$1.00 for additional copies of legal documents, which we have no problem with. You have come here to ask us that and after taking out the proper expenses—you almost make me feel you are overcharging, but I would not say so—that the remainder be kept in credit for this fund. Whereas it is a user fee and you are saying others charge even less, what am I to think? Here you are trying to increase that fund so that the others coming after; the children of those who are there, and others can benefit. Now I am asking you to expand it so that others can come into the programme, and Caroni is owing \$3 million.

**2.15 p.m.**

This is going to give you about \$120,000 for the year, no more. Let us say \$120,000 as user fees. We are not objecting to a user fee at all. But let us consider Caroni is owing \$3 million and this Parliament is now sitting to see if we could get \$120,000 for some of the people who are applying for it. I am saying that you start with them—collect the arrears. That has to be done.

This is not the first time Caroni has been in debt. I mean, this is one of the things that worried me about the whole process. I am telling you the truth. We are here—I would not say wasting time—doing something that the committee probably tried. It wanted to increase the loan fund but, at the same time, I hope that the hon. Senator will tell us what will be done to collect the arrears. Because if they could receive \$3 million here and \$3 million there, the fund could be opened up and sugar and other poor people—the local government, the daily paid, seasonal workers in cocoa and sugar—could benefit from it. That is all I am saying. If they try to get that in, they would be able to open up the fund to others.

I am not saying no to the sugar workers in this fund. Certainly not. They have qualified; they are low income; but there are others and there will be much more money with the returns after a time. This is a revolving fund and a lot more will benefit. I think it will be to their credit to do it in that way.

But, Caroni worries me. Last week I had some clippings which I did not even bother to use; I revisited them last night. The *Guardian* of Saturday, July 25, 1992 stated “CARONI LTD’S \$2.1B DEBT WRITTEN OFF”.

**Sen. Shabazz:** Tell them the PNM write it off.

**Sen. J. Yuille-Williams:** In 1992, the debt was written off. In addition, Caroni accrued liability of \$200 million, relating to non-payment of PAYE, VAT, health surcharge, land and building taxes would also be settled by the PNM.

A sum of \$200 million dollars owed which would have been settled. So, in addition to the debt of \$200 million, Caroni seems to be in the habit of not paying its debts, so even though it is given a clean slate, this is what is still happening. These people are still owed and then you are coming to ask—and I agree with you—you probably want to supplement the fund and the only other avenue is to ask these people coming in for \$2.00; \$1.00; \$20.00 and \$25.00. I say again, I am not against user or service charges; other agencies have them; why not go after the money that is owed by Caroni? That is what Caroni did after cleaning the slate.

I am saying to myself as I look through it, if this Bill had not come here, I would not have noticed how much the PNM had done for housing across the board in Trinidad and Tobago.

On May 10, 1997, the same Caroni. This came from the hon. Senator, the Minister of Finance, saying nothing, but I think he was quite right—he is a brilliant fellow—when he said that “Caroni has mortgaged its future”. He went on to say that:

“...if they continue along the path they are going to be spending this year, money that is going to be coming to them several years hence. What is going to happen in the future?”

I am asking: Is Caroni using the \$3 million that was taken out of the workers’ wages for its daily operations? That is unfair. They are taking from the poor people. I say that we cannot let that happen.

On July 28, 1997 in the *Guardian*, the Minister of Agriculture, Land and Marine Resources said “Caroni in Peril”. Mr. Vice-President, do you know why I am reading these things? Because I know they honestly came with this Bill to get the service charges because sometimes people come and they do not return and

there is a little wastage. But I am putting it against the background of what this newspaper article says:

“...Caroni (1975) Ltd. had requested \$169.7 million.

He said Government then found it necessary to undertake a financial management audit before any major financial input was made. In the meantime, Cabinet agreed that until the audit is finished and accepted by the Board of Caroni (1975) Ltd, advances were to be made to the Company in the sum of \$30 million.

For the month of April, \$8 million was given to the Company, and for the month of May, a further \$18 million was given and in June another \$4 million.”

It seems to me that Caroni cannot manage its own affairs and, perhaps, I could say it cannot even manage the money it is taking from these poor sugar workers. I need to say that, because I am looking at the whole matter against this Bill.

I would have liked the hon. Senator, as she presented this, to have spoken about some of the arrears and other problems she was having with this committee, because I understand and I know some of the people who sat on that board. In fact, since they left with \$8 million, by now, they should have had something like \$11 million for the fund. Not that I am saying no to the user charges, but I would have felt more comfortable. Now we are using the workers to help supplement it, when, in fact, Caroni is the one that we should be going after and Caroni has had it bad for a long time.

I shall read some of these headlines for us to see some of the negative things that we see coming out of Caroni. “Where did our dollars go?” “What happened?” “Sugar union sees less earnings.” “Caroni board member paid \$150,000 for consultancy.” All kinds of things happening at Caroni and, in addition to that, Caroni still cannot remit the money that it takes from the workers.

So, I am saying that I do not see that this service charge could supplement the fund in any way to make it viable at all. To me, it is just a discipline that you pay for certain things and to me you are trying to align it with others, although it is still less than the rest and you are saying that in all the other programmes at the National Housing Authority, people are paying more. I wonder why in this one, less is being paid? But let us not worry about that. I am saying, therefore, let us look at the programmes.

My point this afternoon is, if you want to make this fund viable, first of all, collect the arrears and go to the major debtor here. Go to Caroni (1975) Limited and see what can be done. I am quite sure the hon. Senator will tell us how it can be done.

Secondly, I am saying the programme needs to be extended. It is in the Ministry of Housing and Settlements; you care for all the people of Trinidad and Tobago; there are people earning less than the people at Caroni; some earning just as much as Caroni workers; allow those people to benefit from the programme, especially other seasonal workers; especially those with rented land like cocoa and others. When that is done, then we can say that we truly care about people.

Let me say something else. I do not want to say I am not in favour of the service charges. Whether they pay this money or not, the Government already pays all the administrative costs of this committee, probably all this would be going into the fund but, as I said before, you want to make people pay. Some people are asking to whom would the money go?

I heard you talk about the people and the courage—in your words, the people who would have been there. I have seen some of the homes. It is to the credit of the PNM government that those homes are there. I need to say that loud and clear, because this is a government agency and from now on, when we are talking and people say La Horqueta, and people talk about some of the other areas, Powder Magazine; people also need to talk about Macoya, Picton and Bien Venue as well, in terms of PNM housing policies.

I close by saying that we need to congratulate the Government for this programme, in spite of what people have said, for spreading the programme so that about 30,000 people might have benefited. We ask you to continue the programme and make that a special portfolio in your new Ministry of Housing and Settlements for low income earners. Let them benefit from this. If you want to keep the name with sugar, it is all right. What is in a name? If you feel to change it, you can, but others must benefit. I tell you that when the others benefit, probably there would not be so much arrears. This committee is tied almost totally to Caroni (1975) Limited, so all these people who have built their houses, have some nexus with Caroni, and if Caroni is not paying, you will not get your money. Probably if you spread it, you would see that the percentage of arrears would not be as great.

I hope that the hon. Senator in her response will give us the assurance that she is willing to broaden the base of those who participate in this and that we will also be told what would be done about the money owed by Caroni (1975) Limited. There must be a way in which people pay regularly and something must be done about those who have left Caroni (1975) Limited, or retirees, whom I understand have not paid.

It is felt that if they are allowed to keep the money, that would not be good for the programme. They are already on a small interest rate of 5 per cent. But what about those coming behind? We have to look down the road to ensure that others will participate. It is a bit selfish for people to take the money and not repay. Therefore, I hope that you will look at it in the light, that these particular people should not enjoy the free housing. But I am also concerned that since others need to access these funds, we need to collect the arrears.

Thank you very much, Mr. Vice-President. [*Desk thumping*]

**Mr. Vice-President:** I would just like to make mention of one thing here, that is, Members making their contributions should speak directly to the Chair and not to the mover of the Bill, or any other individual Member. Just take that into account.

**Sen. Nafeesa Mohammed:** Mr. Vice-President, I would like to take this opportunity to congratulate my colleague, Sen. Yuille-Williams for her very clear and direct contribution. Indeed, I see the Parliamentary Secretary is not at her seat, but I do remember that sometime last year right here in this Chamber, the hon. Senator came to the Parliament with two bills which sought to amend the very same Acts which we are seeking to amend here today, that is, the Sugar Industry Special Funds Act and the Sugar Industry Labour Welfare Committee (Inc'n) Act. These are found at Chap. 64:04 and Chap. 64:05 of the laws of Trinidad and Tobago. They are the Parent Acts in respect of the amendments that are before us in the Senate today.

I distinctly remember when that debate was taking place last year that the Parliamentary Secretary in the Ministry of Housing made a statement about the very haphazard and slipshod manner in which the previous PNM administration had been dealing with the anomaly with respect to the fact that this Welfare Committee was operating under the Ministry of Agriculture, Land and Marine Resources, when in fact a shift had taken place to the Ministry of Housing and Settlements and, at that time, the administration sought to regularize that anomaly.



Today, I make the point that, here it is, we have the Parliamentary Secretary dealing with amendments to this Sugar Industry Special Funds Act and the Sugar Industry Labour Welfare Committee (Inc'n) Act in a very slipshod and haphazard manner. Since last year when that debate was taking place, we called on the Government to broaden the base with respect to the operation of the Welfare Committee and my colleague, Sen. Joan Yuille-Williams, has just made the point that for the operations of this committee, it is called the Sugar Labour Welfare Committee.

**2.30 p.m.**

We have made the point, and I wish to reiterate that call, as my colleague has done just a while ago, for the base to be broadened. In fact, since last year when we made that call, the Parliamentary Secretary indicated that discussions were taking place with a view to broadening the base. More than one year has gone by and, today, in a very haphazard and slipshod manner they have brought amendments to the Act, and there is not a word about broadening the base to include other categories of workers.

We had made the point that there were workers from the cocoa industry who can be included under this fund; there are the Local Government workers who can be included; fishermen, for example can also be included in the operation of this fund and here it is, amendments are being made to the Act and there is not a word about including these categories of workers. This administration wants to go about the country and talk about levelling the playing field when, if anything, the disparities which are emerging are really phenomenal.

My colleague has made a certain comparison and the Bills which are before us are seeking to collect service charges, a user's fee and we have no real difficulties if someone wants to get a document and he pays a nominal fee for it; but as my colleague has pointed out, before they continue to put pressure on low-income people, why have they not been looking at other areas to increase this funding?

Specific reference was made a while ago to the fact that Caroni (1975) Limited owes a tremendous amount of money to this fund, and we have been bombarded over the last few months with allegations involving Caroni (1975) Limited. I must refer to one or two newspaper clippings and put them on record because they are very relevant to the amendments to the Sugar Industry Labour Welfare Committee Act and the Sugar Industry Special Funds Act. When we look at the preamble to the Sugar Industry Special Funds Act, Chap. 64:04, it specifically

states that the moneys for the fund shall be provided by means of a levy at an agreed rate which may vary from time to time as required in respect of sugar manufactured in, and exported from Trinidad and Tobago and that such moneys collected shall be allocated in agreed proportions to the three different funds—the Price Stabilization Fund, the Rehabilitation Fund and the Labour Welfare Fund. This is what is in the parent Act with respect to the amendments which we are considering here today.

Mr. Vice-President, I refer to an article published on page 14 of the *Daily Express* on Friday, June 12, 1998. The headline is “Ticfa: Remove Caroni board”. In this article are some very important figures and statistics which are relevant to the operation of this welfare fund and the levy because we know over the last year and more—under the United National Congress Government and the other coalition partners which I cannot recall now—that the sugar industry is now faced with a crisis and it is important for us to be made aware of the figures and statistics.

The article states:

“Failure of State-owned Caroni (1975) Ltd’s sugar crop this year has infuriated the cane farmers union, which is demanding the removal of the company’s board of directors.

Speaking on behalf of the breakaway faction of the Trinidad Islandwide Cane Farmers Association (Ticfa), Dave Persad charged that the company had lost more than \$150 million on this year’s crop.

He also noted that the 1998 quota for the United States had not been met by at least 3,100 tonnes (the US quota is 11,500 metric tonnes) with monetary losses of about \$8 million.

He produced the following figures: 1995—127,612 tonnes of sugar; 1996—115,205 tonnes; 1997—119,903 tonnes; and this year 81,000 tonnes.”

It is way below what this Government boasted and bragged about in Parliament as to how many tonnes of sugar they were anticipating.

It continues:

“Because of these factors, Persad said Ticfa wanted Prime Minister Basdeo Panday to dismiss the Caroni directors and reappoint a new board within the shortest possible time.

He further called on Agriculture Minister Reeza Mohammed to ‘state immediately the recovery plan for the 1999 crop and the sugar industry.’

He also urged Panday, ‘Not to allow the \$140 million losses at Caroni to go unchecked and unpunished.’”

Mr. Vice-President, we too would like to reiterate that call.

The article continues:

“‘We have lost 60,000 tonnes of sugar in 1998 amounting to \$210,000’

And in terms of 1997 figures, ‘we lost approximately 40,000 tonnes of sugar or \$140,000,’ said Persad.

This figure, he claimed, did not include:

- losses incurred as a result of the reduced sale of molasses and alcohol;
- increased cost of the disastrous refurbished \$20 million Usine Ste. Madeleine mill;
- increased cost due to transporting canes from Usine Ste. Madeleine to Brechin Castle for most of this year’s crop;
- loss of manpower at Usine and at the scales due to the delays at Ste. Madeleine mill.
- inferior sugar due to inferior canes and losses at the farmers’ scales and derricks.

The company’s main reasons for the low production—the froghopper infestation and the El Niño phenomenon—were not accepted by Ticfa.

Persad accused the company’s bosses of incompetence and mismanagement. He said there were about 7,500 cane farmers who employ about 14,000 workers, ‘who collectively have about 100,000 direct dependants.’

‘Our cane farmers and canecutters are hard-working people and we are not prepared to allow an incompetent board of directors to destroy our sole livelihood.’”

Mr. Vice-President, some time ago I made reference to the fact that certain board members of Caroni (1975) Limited flew to Miami on some kind of joy ride, and to

date, this Government has not given us any information pertaining to the results of that particular tour. It was alleged that they went to look for markets to sell more rum. That is not all. I came across another article only today on page 16 of the *Daily Mirror* of Friday, June 19, 1998 and the headline says:

“Dhanpur accused of fraud in \$20m factory contract, but Indian sugar firm lands second Caroni deal

Dhanpur Sugar Mills of India has won a second contract with Caroni (1975) Ltd., despite its dismal showing in the \$20 million number one tandem rehabilitation deal at the Ste. Madeleine Sugar Factory.

The new contract is for \$6 million and just like the first one, no Central Tenders Board nor selective international procedures was followed.

And it has also now been revealed that Dhanpur is not a recognized manufacturer in India.”

It sounds very familiar to what is happening with the National Flour Mills fiasco.

“...the deal to come to TnT was finalised by Caroni officials during the tour of India in January 1997 by Prime Minister Basdeo Panday and his entourage.

That’s the word from a ‘strictly confidential and highly classified’ report which was passed onto TnT Mirror.”

Mr. Vice-President, I am merely quoting from this article to put on record that this Government is seeking to introduce a measure whereby service charges will be collected for the operation of the Sugar Industry Labour Welfare Committee, and at the same time, we have heard that Caroni (1975) Limited owes money to this fund and we have been hearing, reading, and knowing about allegations of mismanagement and corruption and now, even more trouble in the sugar industry with this Dhanpur Sugar Mill.

We call on the Government to investigate this allegation and let us know if it is true that this same sugar firm is landing another deal with Caroni (1975) Limited after the \$20 million losses which were suffered under the previous contract account to the nation. This Government which claims to be so committed to transparency and accountability, we are calling upon it to be truthful to the nation. The story goes on. It is a very revealing one and it has quotes from a particular report which is in existence.

With all these things, time and time again, we have called on this Government to act in a more positive way with respect to Caroni (1975) Limited. Only last

week there was a newspaper headline about 3,000 Caroni employees to face the axe. In another story, it was reported that 5,000 workers were reported to go at Caroni (1975) Limited and there are attempts to deny these stories, but we know that under the Agricultural Sector loan which was negotiated and signed under the United National Congress Government that there are certain conditionalities to be met in order to access the funds from this loan. We came to this Parliament and asked about the status of the implementation of these conditionalities and what is happening with respect to the loan. All we get are general statements. It is a fact that workers have to go; they are not giving the true picture. They are just dragging their feet, and that is not all. Here, we have the Parliamentary Secretary in the Ministry of Housing and Settlements proposing these amendments to the Sugar Industry Special Funds Act. The Sugar Industry Labour Welfare Committee and this Ministry, as we know, is headed by the hon. John Humphrey whom the country refers to as "honest John". We read articles appearing in the newspapers, such as the one which is published in the *Daily Mirror* of Friday, June 12, 1998 at page 13 which says: "40,000 housing bribe!"

"The political and business worlds in the north eastern district are agog with talk about a United National Congress activist who dished out \$40,000 to a mid-range official to earn a certain housing contract.

It seems as if one of the parties in the deal has squealed, and now talk is rife about the racket, which was cemented at a Chinese restaurant in the town.

Following the under-hand arrangement, the activist landed a cushy contract in respect of several hundred houses in a prominent Central Trinidad area."

We are very curious to know whether any of these contracts relate to this fund, the main purpose of which is to give loans for housing. We want to know if these elements are benefiting from these cushy contracts and how they are getting them.

I am calling upon the Government to investigate this allegation because I understand when one goes to central Trinidad, which I think is in Couva, and looks at the actual houses which are being built, the standard and the quality of them are really very low. We are calling for an investigation into this matter.

Mr. Vice-President, I heard a point of order.

**2.45 p.m.**

**Sen. Cabrera:** Under section 34(1) of the amended Standing Orders, I am raising the question of the relevance of the hon. Senator's statement, because I wish to point out that we are dealing with the amendment to Acts. With regard to the amount of extraneous matters which are being brought into the debate, I am wondering whether, in fact, what is being said is relevant to the matters before the Senate.

**Mr. Vice-President:** I will allow what has gone by to stay on record, but I caution the hon. Senator to stay a little closer to the Bill under debate. It is stretching the relevance of the contribution by just making the occasional reference to the fund. I would like you to stay a little closer to the subject.

**Sen. N. Mohammed:** Thank you very much, Mr. Vice-President. I was nearing the end of my contribution.

Given the fact that these two Bills before us deal with the amendment to these two Acts, I think I must point out that under the Sugar Industry Special Funds Act, Chap. 64:04, one will find regulations which govern the fund. Under the laws of Trinidad and Tobago, section 14 of the Sugar Industry Labour Welfare Funds Regulations, it specifically sets out what disbursements the committee may make. It is instructive for us to note what these disbursements may be made for. It says at section 14(2):

"Without prejudice to the generality of the foregoing subregulation, the Committee may make such disbursements for any of the following purposes:

- (a) the housing of workers;
- (b) the improvement of social conditions...of workers;
- (c) the making of loans or grants to workers approved by the Committee to enable the workers to erect and own houses on approved sites;
- (d) the establishment of creches and the promotion of child welfare;
- (e) the making of grants or loans to associations and bodies for such purposes..."

And it goes on. I merely point this out to reiterate a point made by my colleague as to the importance of the operation of this fund and the welfare committee. It serves a very good and useful purpose and, as has been pointed out, there is a need to broaden the base for the operation of this fund to include other low income earners.

Mr. Vice-President, in this context, looking at these proposed amendments, it is unfortunate that the hon. Parliamentary Secretary did not come here today—after she made a statement since last January in this Chamber that they were considering making amendments, or at least having discussions with a view to broadening the base—to also have some provisions designed to include other income earners. For example, it has been suggested that the name of the Act can be changed to the "Sugar and Rural Workers Special Funds Act" or some other appropriate name, so that it will encompass all workers. We are simply calling on the Government to look at redefining workers in terms of the operations of these two Acts.

With these few words, I simply wish to reiterate that in terms of the service charges and the collections, whilst the objectives may be good from an economic standpoint, we really wish that the Government would try to look at other areas with a view to cutting down the arrears so that this fund and the committee can continue with its good work and, if necessary, resort to these service charges. So at the end of the day, the people who need the most help will not be the ones who have to be taxed and penalized in order to get some basic amenities.

I thank you, Mr. Vice-President.

**Sen. Dr. Eric St. Cyr:** Mr. Vice-President, I want to make two brief remarks.

The first is that in principle, I think the whole society, the whole economy, is moving in the direction of paying for services; so broadly, I am in support of the measure. I would, however, like to know how these services are now paid for. In other words, these services, I take it, are being performed and somewhere they are being paid for already. So I would like to hear from the hon. Parliamentary Secretary on that.

The second thing I would like to do is to just make some contextual remarks. We know that the Sugar Industry Welfare Fund was set up in 1950 when the sugar industry was, by far, the largest agricultural industry in the country and the largest employer of labour. We have come a long way where we have an industry far smaller than it was then and far less important, both in terms of economic output and employment. So, should we not be looking for a general overhaul of all arrangements pertinent to the sugar industry at this time? For instance, in 1950, \$2.40 was half a pound sterling, that would be about \$5.00 today, but so many things have changed that we probably should not simply be tinkering in this way, but we should probably be looking at that entire matter.

The other comment I would like to add is that we should probably not be identifying a particular industry to which to give a specific subsidy. What we should probably be doing is applying a subsidy on the basis of income level. So these are some general principles that I am suggesting we look at in whatever we do here.

Thank you very much, Sir

**Sen. Prof. John Spence:** Mr. Vice-President, just very briefly, I support the measures of the Bill. I do not see any difficulty. I think it is appropriate that some reasonable charge be made for services, but I would like to make two comments on some of the other issues which have been raised by speakers so far.

One is that while I agree with the position that the activities of this committee might be broadened to include other categories, particularly of agricultural persons, not just those in the sugar industry, it would seem to me that if one is going to do that, one would have to do as Sen. Dr. St. Cyr has said and look at the whole issue of the funding of this programme. Because, would it be appropriate for a cess on the sugar industry, for some of that funding to be used for persons outside the industry? So one has to look at it in a more comprehensive way. I think it should be looked at in that way. I do not think one should do anything to remove the committee, because it seems to be so successful. It would be very much better to broaden the scope, rather than to think of reducing its activity.

The other point is perhaps, incidental, but it is a point which was made by Sen. Cuffy-Dowlal in her presentation. That is, she mentioned that activities at the Town and Country Planning Division have now been moved to the Ministry of Housing and Settlements. I view this with a great deal of alarm. I do not think that a line ministry should be involved in planning for the whole country, as would be the case of those activities of the Town and Country Planning Division, so I do not see this as a progressive move. I certainly think that planning is a central function, and physical planning, clearly, is integral to economic and social development planning.

Thank you, Sir.

**Sen. Muhammad Shabazz:** Mr. Vice-President, these Bills which have come before us are, indeed, meaningful, important Bills. As a matter of fact, any Bill brought before this Senate that will assist people in low income brackets must be looked at in a serious way.



I would like to reiterate the point made by Sen. Yuille-Williams. I would like to start this contribution by saying that a democratic Government really is a Government by the people, for the people, and of the people. PNM governments—when we look at the housing situation and when we hear what has happened with housing in this country—have shown that we were indeed a government for the people, of the people, and by the people. [*Desk thumping*]

When we heard—as Sen. Yuille-Williams said before—what is happening with housing, and the Caroni housing situation, really and truly, we felt that this was private housing in this country. It must be emphasized that it was housing done by the People's National Movement. We saw about all housing areas and for all the people. You know why the question of housing in that Caroni area is now important? Twenty thousand houses; we built all those houses. One looks at a time when we assisted or set up the fund for these houses to be built. We look at a time when there seemed to be no real housing policy in this country. We look at all the other housing areas in this country. What is happening with John John Towers?

**Sen. Cabrera:** Mr. Vice-President, I rise on a point of order. I wish to draw to your attention that the hon. Senator is being irrelevant. The hon. Senator is not confining his observations to the subject under discussion, which are amendments; it is not the entire parent Act. I wish to draw your attention to that, Sir.

**Mr. Vice-President:** I want to rule that in fact, it is at least questionable, the relevance of your statements. You seem to be going down the line about discussion on the housing policy *per se*. I will only entertain references to the housing policy as it relates to the particular pieces of legislation we have before us and not general statements which relate to the national housing policies of the country. So confine your remarks to housing and, if you will, make references to the housing as it relates to these two Bills, if at all.

**3.00 p.m.**

**Sen. M. Shabazz:** I accept the ruling, Mr. Vice-President, and say again, that the question of the amendment to the Bill as has been put forward by Sen. Cuffy-Dowlal was really to assist. As a matter of fact, one of her main points was that these people had worked very hard. They had the courage to ensure that they got these 20,000 houses built in these areas which were to assist further in this development. That is indeed something commendable and should continue.

This Bill, as everybody else in this Senate has stated, should not only be for the Caroni area but for all other low income workers in this country. There must have been a specific reason that it was moved from the Ministry of Agriculture, Land and Marine Resources to the Ministry of Housing. It had to be, to continue providing, not only other facilities, but housing that started under the People's National Movement.

Not only that, we are talking about the figures. We must look at Caroni and how it is administering the funds. I would like the goodly Senator to understand that is important information. As a matter of fact, since they have moved our good friend from the Ministry of Information, the policy seems to be changing as to how information should be disseminated in this country. That is a sad thing. It is information about housing and what is happening in this country.

I do not want to put emphasis only on housing but it is the main reason for this Bill. We are changing it only for that reason. We look at Caroni (1975) Limited and how it would administer the fund. It owes over \$3 million because it is not administering the money coming to it efficiently and effectively. One article stated that Caroni has mortgaged its future—

**Sen. Cabrera:** Mr. Vice-President, I rise on a point of order. The hon. Senator is not confining his observations to the amendment before the Senate.

**Mr. Vice-President:** I would allow the contribution to continue, but with the note of caution as previously indicated. I also draw to the attention of the Senator that besides the contents of the two pieces of legislation we are dealing with here, we also have the opening remarks of the mover of the two Bills that have to be responded to. Therefore, it is within those confines that I ask that in their contributions hon. Senators should be conscious and sensitive to Standing Order 35(1) on the question of relevance.

**Sen. John:** Mr. Vice-President, on a further point of order, the goodly Senator might be misdirecting the Senate when he stated that Caroni (1975) Limited is administering this fund. I understand this fund is administered by the Sugar Industry Labour Welfare Board and not Caroni (1975) Limited.

**Mr. Vice-President:** I trust that the mover of the Bill would clear that up in her closing remarks.

**Sen. John:** Just to help comrade Shabazz!

**Sen. M. Shabazz:** Thank you. Mr. Vice-President, again I want to be clear. I am aware that Caroni (1975) Limited would be taking these funds from the people's money to hand to the committee. The point is though, we must look at that in relation to how it has been administering its funds. We are having problems with the company with respect to National Insurance payments. We are hearing about situations where money is being paid to the trade union. Would Caroni (1975) Limited hand over this fund so that it would be managed in the way that it should?

The point is we have to look at what is happening. To bring this Bill and not look at the context of what is happening in Caroni (1975) Limited does not make any sense. I cannot just come here and say, yes, the Bill must be amended.

I say that because the goodly Senator understands what happens with labour, although he was not here for Labour Day. I do not want to go there—

**Sen. Cabrera:** Mr. Vice-President, I want to draw to your attention that the Senator is being irrelevant. [*Cross talk*]

**Mr. Vice-President:** Please continue.

**Sen. M. Shabazz:** Thank you, Mr. Vice-President. I made the point up front that democratic government is a government for the people, of the people and by the people. I am also saying that we would like to see some of these things for other low-income people. I feel that the goodly Senator should be able to support a recommendation being made for low-income people in this country. I do not know because he was not here for Labour Day, he went away—

**Sen. Cabrera:** Again, he is not dealing with the amendment.

**Sen. M. Shabazz:** Why does the Senator not want that point to be made?

**Mr. Vice-President:** Sen. Shabazz, I want you to direct your remarks to the Chair. I also do not want the contribution to veer in the direction of a debate concerning the point of order. It has been ruled on and you may continue your contribution to the Bills before us.

**Sen. M. Shabazz:** Mr. Vice-President, the point is again, would Caroni (1975) Limited administer this fund based on their history and on their record? We see it has not been doing so and that is why this amount of money is owed. Not only that, but we are also asking through you, to ensure, when this Bill has been passed, the management of Caroni (1975) Limited would be prudent enough to hand over the money to the right people.

In the same light we are asking for an investigation into what is happening with the NIB and credit union money that Caroni (1975) Limited is collecting on behalf of the workers. This is something we should be interested in and something that the people who stand so strongly for labour, should be very willing to investigate. I hope their position is the same on labour as it had been before now.

The article "Caroni has mortgaged its future" is a reference to what is happening at that company. The hon. Minister of Finance, in delivering the feature address on behalf of the Minister of Trade and Industry and Consumer Affairs said:

"As Finance Minister I am worried that Caroni seems to be committing its future crop. I don't know how far into the future, maybe the next two years."

Mr. Vice-President, with all these things being done in the central area for Caroni (1975) Limited to make it better, we are just asking that a number of these things would be implemented and looked at in other areas in this country. Not only that but we must also look at, not only the general housing policy, but the efficiency and relevance with which we are dealing to ensure that Caroni's housing situation would be made better; we must look at it for all other areas. It must not appear that in this area things are being done because of a particular reason or because of support coming from it. That same thing being done there must be transferred and transmitted to other areas.

This fund was started and continued during all the other governments. It was done, not because Caroni was an area that supported the PNM but because it was necessary and important for it to go that way. I would like this Government to operate with the same motive. The issue of low-income people is very important at this point in time. Look at it in the wider context. Be a government as we have been: for the people, by the people and of the people. Do not just be a government for a people, by a people and of a people. This is where we are asking that the thing be widened, and it is in this light that I am making this contribution.  
*[Interruption]*

What seems to happen in the Senate is that Bills are brought forward and it seems to be done in the purist and most innocent way. In truth and in fact, we on this side must look at it from where it came, what is happening now and where we are going in the future. We must be willing to look at it that way. We cannot only look at it from that regime's side and say, "Yes, indeed and in fact, it is put forward with good intent and motive," and that is all. We have to look at it in the wider context as we have always looked at it before and will continue to do so.

Why did we speak about divestment in Caroni (1975) Limited? Why are we bringing Bills to the house to talk about doing more for this company? It is because we understand the problems happening there. It is not just a question of passing a Bill, there are other problems happening there that must be looked at in order to make it viable. We care about those workers and what is happening there, as we care for all other sectors of the country.

**Sen. Cabrera:** Mr. Vice-President, I rise on a point of order. This is not a debate on Caroni (1975) Limited which is what the Opposition Bench is attempting to do. I am drawing the attention of the Vice-President to this matter.

**Sen. M. Shabazz:** "Yuh is the Rottweiler over there?"

**Mr. Vice-President:** Sen. Shabazz, the point of order is, in fact, drawing to my attention the substantive nature of the two Bills before us. They relate to Caroni (1975) Limited, but they are not Caroni, *per se*, legislation. Therefore, I would allow discussion as it relates to the company, but it must have some relevance to the Bill. In directing your remarks, you can make full reference to Caroni's activities, but keep the references to Caroni in relation to the Bill. I have mentioned this before, please restrict your contribution in this way.

**Sen. M. Shabazz:** Mr. Vice-President, again, I take your ruling, but I am making the point in light of the fact that Caroni is the biggest debtor to this fund. Government is coming to ask Caroni to deduct money from people again and yet it is not transferring these funds. We have heard the story about it deducting money for NIB and it not reaching the National Insurance Board. It has also been deducting money for the credit union and we are hearing that it is not being paid to the credit union.

**3.15 p.m.**

What we are saying is, make this fund something else; give it a new name; let somebody else collect the money; widen the body. This is what we are asking, Mr. Vice-President, so that we could be guaranteed that when this money is collected, it would be disbursed in the right direction and would be done effectively and efficiently. We are hearing taunts about race and all other kinds of things from the other side. Why do they not want us to talk about Caroni (1975) Limited, a major company in this country that they themselves understand, is indeed, not efficient? They blame us for its inefficiency and are asking us to hand over funds to it. This is the major point. It is an inefficiency that they continue to propagate, only because it is their support base.

When I say that it seems to be a Government of a people, for a people and by a people, it is not because I intend to be malicious towards them. It is because I want them to take stock and take note so that this country would be run in a certain way to ensure that there is proper and prudent management in all directions. This is all I am asking them. As a matter of fact, they talk about national unity. They only want advice that would be beneficial to them. Maybe I am helping in this way to give that advice so that they would look at it. Why can they not understand that Caroni (1975) Limited is indeed an issue here? I cannot see why the hon. Senator made her presentation on the basis of how great they were doing for housing in Caroni (1975) Limited, and still they do not want us to talk about the housing situation there and compare it.

Mr. Vice-President, do you know why they compare it with what is happening with the John John Towers? Do you know why we on this side are saying that they did not build any houses and why we question what is happening with all the other houses? It is to let them know that they are low income just as Caroni (1975) Limited and other places and their needs must be met as well, by a Government of all the people of this country. If they do not see it as a need for all the people of this country, they are isolating themselves, becoming parochial, and becoming a Government of a people; a set of people of this country. This is what this Government is portraying.

Mr. Vice-President, when we tell this Government that it is about labour and about low income people, it is sad to see the greatest objector. I am not hitting at that Senator who is rising. He is the person who should be more concerned with low income people. We say that they do not care because if they are labour people governing this country, it is important to look in the direction of labour and low income people. These are relevant points. They no longer go on labour marches. Is that not important, when we are seeing labour people coming to ask us to deal with low income people on a bill when they are no longer involved in labour? You go to a whole labour session on Labour Day and no longer see them and wonder—

**Sen. Cabrera:** I rise on a point of order. The Senator is being irrelevant.

**Sen. M. Shabazz:** I do not think so.

**Mr. Vice-President:** Sen. Shabazz, you have gone on a tangent now. You have gone to another topic other than the Bills before us. Please return to the debate.

**Sen. M. Shabazz:** Mr. Vice-President, the sugar workers are low income workers in this country. Mr. Vice-President, we are asking that just as we have had a policy for low income workers all through, this Bill which is for the benefit of low income people at Caroni (1975) Limited, must be transmitted to low income people throughout Trinidad and Tobago. The question is, what was the policy? All these things that are here were as a result of the fact that we were talking about making Caroni (1975) Limited more manageable, more efficient and better than it is. Mr. Vice-President, is this regime really serious about that? The answer seems to be no. What is the service charge going to be?

**Hon. Senator:** Dollars and cents.

**Sen. M. Shabazz:** Dollars and cents. While this is happening, millions are going through the back door. That is relevant. We have absolutely no problem with this Bill. Could we have a problem with this Bill which would better deal with low income people? This has been the policy and philosophy of the People's National Movement government. I want the hon. Senator to understand that. We are supporting it. We are just bringing these points for them to understand and take note.

Mr. Vice-President, I made the point that the facilities should be extended. I would like, again, to ask the hon. Senator to look at the question of arrears and the amount of money being owed. The point was raised very efficiently about the question of collecting arrears. The hon. Senator spoke about what is happening in housing; the question of the dependency syndrome; how people are only living in houses and not paying for them. The hon. Senator said that she would ensure that rent is collected. I spoke about what had been happening with the other houses in the country; the question of the Aranguez houses and others and the fact that Aranguez was the only housing area that was given out. When I made this point, the hon. Senator came down on me. I felt that she was right. She felt at the time, again, just as they are saying, it was a racist point. The point is that it was not racist; I will never be racist. It is indeed a factual point that if you are going to deal with housing, they should all be done the same way.

Mr. Vice-President, we are asking that the same vigilance be exercised in ensuring that Caroni (1975) Limited and the sugar workers get their houses, as well as workers in other areas of our country. We see houses lying unoccupied in this country and not a step is taken. I am just asking again—and I want to do so honourably and purely from my heart—that this present regime for the time that it

will be in power, be a regime for the people, of the people, by the people. Do not just be a regime, indeed, for a people, by a people and of a people. If you have the same sensibility for Caroni (1975) Limited as for every other place in Trinidad and Tobago, we will, indeed, be a very fine and good country.

Mr. Vice-President, having made these points, and having withstood all these interruptions, I am thanking you again for the protection you have given during these interruptions.

**Sen. Cuffy-Dowlat:** Relevant interruptions.

**Sen. M. Shabazz:** It is indeed important and a good Bill. *[Interruption]*

Mr. Vice-President, this “boy thing” from the former Minister of Information, I am not too lightly taken to it. The Ministry has been taken away from him and given to Dr. Griffith.

Mr. Vice-President, it is important to note that we would indeed support this Bill and would ask the hon. Senator to give us a little more information when she is winding up; information which is very vital to determine how the Bill will go. Although information now seems to be controlled directly by you, try to give us information; information from Sen. Mark's perspective rather than from PNM's Dr. Griffith's perspective. At this point in time I say we would indeed support this Bill, but with proper information; proper UNC information.

Mr. Vice-President, I thank you.

**The Parliamentary Secretary in the Minister of Agriculture Land and Marine Resources (Sen. Vimala Tota-Maharaj):** Mr. Vice-President, I rise in support of the amendments to the two Bills, one entitled an Act to amend the Sugar Industry Labour Welfare Committee Act; and two, an Act to amend the Sugar Industry Special Funds Act.

Mr. Vice-President, the word “sugar” always seems to generate a sweet debate on Caroni (1975) Limited. *[Desk thumping]*

**Sen. Mannette:** Who is your speech writer?

**Sen. V. Tota-Maharaj:** Mr. Vice-President, in my capacity as the Parliamentary Secretary attached to the Ministry of Agriculture, Land and Marine Resources, I think it is necessary for me to make a brief contribution to respond to the spurious and misleading allegations levelled at Caroni (1975) Limited. As usual, Mr. Vice-President, Caroni (1975) Limited continues to be the whipping boy of the Opposition, and they know why. I would like to suggest, however, that the Members of the Opposition in this Senate speak to the former Minister of



Agriculture, Land and Marine Resources—if you need to get his name, I could provide you with that information—on the injustices and neglect Caroni (1975) Limited suffered during his tenure.

Mr. Vice-President, Sen. Nafeesa Mohammed made some serious allegations against members of the board of Caroni (1975) Limited, that they went on a joy ride to North America, or something to that effect. Perhaps Sen. Mohammed can provide us with some concrete evidence so that we can follow up these allegations which she is making against these gentlemen and members of the board.

Mr. Vice-President, through you, I would like to ask the hon. Senator, does she believe everything she reads or hears in the media? Coming from a media background myself, I definitely do not believe everything I read or hear from the media. The Senator quoted certain articles which are propaganda and may be misleading. If she needs to get some more information, through you, hon. Vice-President, I would suggest, the doors at the Ministry of Agriculture, Land and Marine Resources are open and we would welcome her with open arms and provide her with the necessary information.

Again, Mr. Vice-President, today we heard about the sending home of Caroni (1975) Limited workers and a certain article was quoted about who had to go home. I would like to speak again, as I have done on several occasions, and the current Minister of Agriculture, Land and Marine Resources, Dr. The Hon. Reeza Mohammed has spoken both in this Senate and in the other place, about the Tripartite Agreement. There are parts of the Tripartite Agreement lodged in the *Hansard*. We could make this Tripartite Agreement available again to Members of the Opposition. This agreement was signed in 1992 under the last regime and it addresses all the concerns raised by the Members of the Opposition. Constantly, Caroni (1975) Limited is being flogged; being whipped by the Opposition and the wrong messages are going out to the national community on the contribution that Caroni (1975) Limited can make to this country.

We are committed as a Government, to make Caroni (1975) Limited viable and we are finally putting the measures in place to ensure that this is done. If Caroni (1975) Limited was not neglected many years ago by the last government; if their subventions were paid when they were supposed to have been paid in the early 1990s, then Caroni (1975) Limited would not be in this position today. [*Desk thumping*]

**3.30 p.m.**

Mr. Vice-President, I have to appeal to the Opposition to stop being in denial. The Opposition is responsible for what has happened. The problems of Caroni (1975) Limited did not begin in November of 1995. However, this Government is not afraid to take the necessary measures that are needed to ensure that Caroni (1975) Limited is on the road to recovery.

**Sen. Shabazz:** Is that relevant?

**Sen. Cuffy-Dowlat:** In response to you.

**Sen. V. Tota-Maharaj:** We are well aware that Caroni (1975) Limited has an outstanding debt to the Sugar Labour Industry Welfare Committee and I would not like to pre-empt the hon. Parliamentary Secretary of the Ministry of Housing and Settlements. I would leave that for her to tell you how this debt is being dealt with because even though much ado has been made about it, this debt is being addressed by Caroni (1975) Limited and she will sensitize the honourable Senate of how this is being done.

Certain movements from the Ministry of Agriculture, Land and Marine Resources to the Ministry of Housing and Settlements have not been done in a *vaille que vaille* manner. Consultation and dialogue between both Ministries are continuous. Discussions were held in the past and we continue to discuss all the matters affecting agriculture, Caroni (1975) Limited and housing. We work as a team. Each Ministry, under the aegis of this Government, knows what the other Ministry is doing because we work hand in hand with each other.

**Sen. Shabazz:** And all yuh drop Wade Mark off the team!

**Sen. Cuffy-Dowlat:** You do not understand team spirit.

**Sen. V. Tota-Maharaj:** We are definitely a team, Mr. Vice-President, and this Government and the people on this side know it is important for us to continually hold dialogue and have interaction with each other if we want this country to progress.

We do not focus only on the urban low income earners; we have now included the rural low income earners into our fold and we are focussing on all the citizens of Trinidad and Tobago. [*Desk thumping*] We are not selecting certain groups to work with; we are working right across the board throughout the length and breadth of Trinidad and Tobago. The reason this is being done is because

there is constant consultation between our people. We listen to the views of the Opposition also, we take into account what they say and we do not operate as a law unto ourselves.

**Sen. Mohammed:** Oh, really!

**Sen. V. Tota-Maharaj:** As I mentioned earlier, my contribution this afternoon will be quite brief, because I just wanted to clear up certain issues on Caroni (1975) Limited. There is a lot in *Hansard* on Caroni (1975) Limited. If Members of the Opposition would like to get more information on the Ministry of Agriculture, Land and Marine Resources and what is happening with Caroni (1975) Limited, they can file the appropriate questions, or they can come to the Ministry of Agriculture, Land and Marine Resources.

I thank you, Mr. Vice-President.

**Sen. Mahadeo Jagmohan:** Mr. Vice-President, I want to thank you very much for the opportunity of associating with other Senators in discussing the amendments to the Bills before the Senate. But, as you have quite correctly ruled, Sir, in the presentation, certain things were said and other contributors made reference to a number of matters and in a debate those matters can be referred to.

First of all, notwithstanding that she might have read from a prepared text done by technocrats in her Ministry, I want to congratulate the Parliamentary Secretary in the Ministry of Housing and Settlements for a very lucid presentation.

A short while ago, the equally charming Parliamentary Secretary in the Ministry of Agriculture, Land and Marine Resources opened her contribution by maliciously, or intentionally, accusing the People's National Movement of treating Caroni (1975) Limited as the whipping boy in this nation. I plead with the good Senator not to repeat that statement again. It would leave on her a stigma that would be difficult to remove.

I state that the amount of work and concentration that the People's National Movement government did on Caroni (1975) Limited is enormous.

**Sen. Mohammed:** \$2.1 billion.

**Sen. M. Jagmohan:** We must not forget and I want to remind the Parliamentary Secretary who spoke just before me, all the facts are there. The records are there in the Ministry of Finance, at Caroni (1975) Limited and in the *Hansard* record that the last administration under Mr. Patrick Manning—my

political leader who cannot be here to speak today—paid a great deal of attention to Caroni (1975) Limited. Who is prepared to doubt this, that in 1992, the last government wrote off \$2.1 billion to put Caroni (1975) Limited on stream and to have things so structured that all the people, be they 10,000, 15,000, or more, who work directly at Caroni (1975) Limited would be put at ease.

I want to return to the question of the accusation being made. The Minister of Public Administration said something unofficially across the floor—that hurts—

**Sen. Mark:** That is off the record, you know.

**Sen. M. Jagmohan:** —with respect to ethnicity and things like that.

Mr. Vice-President, Caroni (1975) Limited is a very, very important sector of the economy of Trinidad and Tobago. The foreign exchange that Caroni (1975) Limited brings to the Treasury of Trinidad and Tobago cannot be replaced by any other sector, apart from oil.

The People's National Movement has done and will do next time around all in its power to make Caroni (1975) Limited viable. It is no doubt that all the signals are there. The People's National Movement is the next government in waiting.

The last speaker accused the press of either inaccuracy, or misleading, or whatever on this—

**Sen. Tota-Maharaj:** Mr. Vice-President, on a point order. I did not accuse the press of any such thing. I asked a question: Did the hon. Senator believe everything that she read in the media?

**Sen. Mohammed:** And what is the innuendo in that?

**Sen. M. Jagmohan:** Mr. Vice-President, you see, a big, big man from the Government talks about lies, half-truths and innuendoes. I am a person of a simple mind, but I have a reasonably good understanding of the English language and the manner in which the wonderful, lovely lady Senator presented her facts, attributing them to Sen. Mohammed here, meant that she was questioning the authenticity and the honesty of the press. We on this side have no quarrel with the press. We take our blows when the press puts them on us.

**Sen. Mohammed:** And we do not attack it for every fault of the Government.

**Sen. Shabazz:** We could take it.

**Hon. Senator:** That is why Manning ban the press.

**Sen. M. Jagmohan:** Mr. Vice-President, for the sake of emphasis, it might appear that I am repeating myself but I am making the point again and again, we of the People's National Movement have no quarrel with people who work at Caroni (1975) Limited. We have quarrel with people who transact questionable deals at Caroni (1975) Limited. We cannot keep any noise with the poor wage earners and the poor salaried people who are not policy makers at Caroni (1975) Limited. They are not in the driver's seat.

It is a fact that Sen. Mohammed, my colleague here, made reference to some members of the Caroni (1975) Limited board making trips abroad to negotiate business deals that do not look too good. I am urging that the Minister or the Ministry of Agriculture, Land and Marine Resources should investigate thoroughly to see what benefits have come about. Because, I tell you that no other group in this country raised noise about overseas trips during the tenure of the last government, as persons who are in the present Government.

**Sen. Mohammed:** That is right. They have mileage now. Frequent flyers.

**Sen. M. Jagmohan:** Then both sides could do investigations, raise questions and make enquiries, because, the fact that all segments of Caroni (1975) Limited were introduced into the debate, the questions now will arise. The loan to Caroni (1975) Limited has certain conditionalities attached, of course. How many workers will be going? How many workers will be sent home? How many workers will be retrenched? How many workers will be given the Voluntary Separation of Employment Plan? How many workers will be asked to take early retirement? The Parliamentary Secretary has placed this in our laps now to make enquiries and I state, Sir, that during the entire period of tenure of the last government, every single effort that could have been made was made—and the records are there—to get Caroni (1975) Limited on its feet and to place Caroni (1975) Limited on the road to recovery and, indeed, it was recovering excellently.

I am not saying that the present Ministry, or the present Government is also not making efforts to have Caroni (1975) Limited totally recovered from a disastrous situation. The present Government is doing that, but the stupidity of some technocrats, or some Minister, caused some kind of animal or insect to eat out the cane and so we were unable to fill the quota of sugar that we should have filled, to bring in substantial foreign exchange. We are not blaming the Ministry totally, nor the Government totally, but somebody's mismanagement or stupidity has brought about that difficulty. We do not wish that the Parliamentary Secretary should take offence on a personal basis.

**Sen. Mohammed:** But investigate the allegations and account to the nation.

**Sen. M. Jagmohan:** Mr. Vice-President, I wish to remove from addressing a few points and to rather, again, appeal for Caroni (1975) Limited. All the workers, all the lands, all the assets are extremely important to the entire country, the Government, the Opposition and the citizens at large, because of what it does, what it is about.

### **3.45 p.m**

For example, the venerable and distinguished Sen. Prof. John Spence brought a Motion recently to strengthen Caroni (1975) Limited and put us in a position to bring greater foreign exchange to the country if we develop cocoa and citrus to the extent he had suggested, and we supported the Motion and the entire country lauded the presentation of that Motion. In other words, we love Caroni (1975) Limited just as much as we love the oilfields or the oil industry, or we have the same desire and urge to see the development of Caroni (1975) Limited as we would like to see in the oil industry and the energy sector as a whole. All the developments which are presently on stream in the oil industry and the energy sector, were negotiated by the former government under the distinguished leadership of the hon. Mr. Patrick Manning when he was the Prime Minister.

I wish very briefly to say that the Parliamentary Secretary during her presentation mentioned a few lines, or a few words about squatting and as a matter of fact, on Bill No. 2 as she identified it, the first matter on the schedule is squatter regularization: then conduct revenue office searches to determine whether squatters own land. It is the first time I am hearing that searches for ownership of land can be done at a revenue office. I plead ignorancy in that regard, I did not know that could have been done at a revenue office.

In the same token I spoke about us protecting Caroni (1975) Limited and its workers, I caution the Government that the workers of Caroni (1975) Limited or people who live within that area where Caroni (1975) Limited owns land must not be allowed to have any foothold as squatters on Caroni (1975) Limited's lands. Those lands belong to all the citizens of Trinidad and Tobago. Just as every citizen should benefit from the natural resources of the country, whether it is oil in Galeota or Pointe-a-Pierre or somewhere else, the natural resources of a country belong to everybody and the lands of Caroni (1975) Limited belong to all the citizens of Trinidad and Tobago. We must be careful how squatters are treated in that regard.

One thing was very outstanding in the presentation of the Senator, I like the way the Parliamentary Secretary presented the Bill. When labour leaders in this country say certain things, many people including Senators on the Government side point accusing fingers at them, but because of the overtures—there was the establishment of the Sugar Industry Labour Welfare Committee Act and this other Act—an amendment is coming, and the question to be asked is why or how. The overtures of oil and sugar workers in the country 61 years ago caused the colonial government to appoint the Sir Richard Moyne Commission to investigate the entire country regarding how labour was being treated, and the overtures of Adrian Cola Rienzi, Uriah Butler and Mr. Blaides and the others. They found out that the sugar, oil and coconut industry workers did not only want or needed increased wages, but all the social amenities which are necessary for a good life for citizens of any country and that is how, in Sir Richard Moyne's report, social amenities were recommended equally as increased wages and that is how the sugar industry got housing for its workers. We must not lose sight of the fact that those Trinidadians who laboured to get that amenity were labour leaders, not that the others who are not labour leaders did not give their goodwill to the whole project. They did.

When trade union leaders in this country cry out in the interest of workers, we must understand what kind of background they have, and so my colleagues support the Bill but we also have a question. The fees which would now be charged, what group organization or agent would have the responsibility for this? Not only that, if we go a little further, which law firm will be handling this, or which private lawyer would be assigned the responsibility to receive fees? I am not pointing fingers anywhere because we understand that a certain attorney who has a very close-knit, tight nexus with the Sugar Industry Welfare and the Sugar Industry Special Fund is knocking at the doors of the People's National Movement to join. If the name was supplied I would call it because this is Parliament, but the name was not supplied to me so I do not know. We are curious, we want to know and when the Parliamentary Secretary is replying she should address some of these matters.

Mr. Vice-President, there is absolutely no objection to the little charges to be introduced by amending this rule. I thank all the Senators who made contributions and, I might be egoistic, or perhaps selfish about it, but the Opposition Senators delivered masterpieces in this debate.

Thank you.

**Sen. Dr. Eastlyn Mc Kenzie:** Mr. Vice-President, I would like to address two questions to the hon. Parliamentary Secretary of Housing and Settlements and I hope she would be able to clarify my doubts or give me some information in her winding up.

I notice in the Explanatory Note of the Sugar Industry Labour Welfare Committee (Inc'n.) (Amdt.) Bill, 1998 that there is a responsibility to the Comptroller of Accounts. I am gathering from the debate that somewhere along the line Caroni (1975) Limited deducts the funds from the workers' salaries or wages and pays this money somewhere, or is supposed to pay it somewhere, probably to the Comptroller of Accounts and then this should be placed to the credit of the Sugar Industry Labour Welfare Fund. If this money is not paid to the Comptroller of Accounts as I gathered, what happens? Do we just keep quiet? Do we have any power to do anything? Can a worker whose money has been taken from his salary to be paid for VAT, tax or whatever, if that worker's money is not handed over, does he have any power to take Caroni (1975) Limited to court for taking his money and not giving it over when it was supposed to be done? I would like to find that out.

Secondly, we hear all the time in this Senate about Caroni (1975) Limited being diversifying, changing, adding and subtracting crops and new crops. Does any other category of worker other than sugar, benefit from this fund? In other words, can they claim to have housing under this fund if they are citrus or any other category of worker? These are the two questions I would like to have answered.

Thank you very much.

**Sen. Rev. Daniel Teelucksingh:** Mr. Vice-President, just a brief comment, it is more that of an observer. One of the speakers referred to the masterpiece of today's debate. I would tell you what I think about it. The masterpiece was more of excessive political gallerying. I am an observer now, and that kind of excessive political gallerying on these two Bills, Caroni (1975) Limited would be no better when the evening is done.

We have identified for many years now that there is a dilemma in this industry and we have, not only this evening, but over and over—when would both political parties which govern this country stop blaming each other for the problems at Caroni (1975) Limited? That is the feature of today and it has been repeated over and over in this honourable Senate. Both sides claim to have the answers, you have



been ruling and governing. I agree, and I repeat what somebody said, that Caroni (1975) Limited has been a political football, but it has been used by both parties. I believe that the time has come when both parties need to be shown a red card, that is very important. *[Laughter]* What we really need is a politically non-partisan approach to solving these problems at Caroni (1975) Limited. If political parties really care about Caroni (1975) Limited we would see a different kind of approach, one that is based on co-operation and caring for the industry rather than continue to use issues at Caroni (1975) Limited to feather one's own nest and promote one's own political agenda.

Mr. Vice-President, I wish this debate would have been more productive, but I needed to make this comment as an observer, one who feels very disappointed sometimes at the way in which we look at problems in this country. We quarrel among ourselves and with each other rather than finding solutions to problems which have plagued us for so long.

Thank you very much.

**4.00 p.m.**

**Sen. Elizabeth Mannelle:** Mr. Vice-President, I rise simply to bring some closure to the debate on the Opposition Bench on these Bills.

As I listened to the debate, I did not plan to make a contribution, but it appears that there has been some misunderstanding of the Opposition's position and it is obvious that what we thought was a useful analysis has appeared to some to be irrelevant. I think we must be careful because the People's National Movement has an obligation to some 200,000 people who voted for the party and who put us in the Opposition. *[Desk thumping]* Because of that, when this Bill appeared on our agenda we looked at it in the position of what is best for this industry and the low income people in this country who need housing.

The legislation, on one hand, seems to be trying to raise \$100,000 or thereabout, but on the other hand, \$3 million is seeping out through the back door. My colleagues' attempts at bringing this to the understanding of the Parliamentary Secretary in the Ministry of Housing and Settlements seems to have been misinterpreted. What we thought was good economic analysis appears to be considered irrelevant to some people on the other side. It makes no sense to come here and talk about \$100,000 and not consider the \$3 million or even greater loss, because of the arrears of the largest debtor to the committee.

We want to state—as was stated by our opening speaker, Sen. Joan Yuille-Williams—that we agree with and support the legislation, but there are other things to be cleaned up in the whole method of this sugar industry committee. We are not here to gallery. We are here to articulate positions and, if it comes across as gallerying, well, that is the way it is interpreted. Our position really, is that Caroni (1975) Limited is a problem. When we left office in 1995, Caroni was on a pathway to viability and it appears that Caroni is going backwards. We are just here to try to raise these issues to bring things back into focus.

Mr. Vice-President, I conclude by saying that we all recognize that the need for housing is important, particularly among the low income members of our community who cannot afford loans from commercial establishments, but I would like to ask the hon. Senator if, in her winding-up, she could tell us what is the status of the project at John John. Because she came here with this Bill which seeks to help those workers in the sugar area; we applaud and support that. But it is disingenuous—in my words—hypocritical and shameful to have an empty apartment building in the area of Port of Spain for almost three years. The Minister of Finance can tell us the economic cost and the losses that we have had to bear as a country because of that uninhabited building. So if we are going to deal with low income housing, let us deal with it in an intelligent and economic way.

Thank you, Mr. Vice-President.

**The Parliamentary Secretary in the Ministry of Housing and Settlements (Sen. Carol Cuffy-Dowlat):** Mr. Vice-President, I take this opportunity to thank all members of this honourable Senate who have spoken today. If my memory serves me right, this is the first time I have seen almost all six Senators on the PNM Bench speak in a debate; this must be of tremendous importance to them.

Mr. Vice-President, I want to preface what I have to say by remembering the little history that was given to us by Sen. Jagmohan and to say that, at times it is important that we know where we have come from to help us know where we are and to assist us in charting our course for the future. When I presented these two Bills this afternoon, I attempted to stay out of the politics, simply because I thought it necessary that I give to this honourable Senate the benefit of informed knowledge. I have seen my colleagues on the other side, especially on the front Bench, go into the politics of the day, and maybe it is important at times that we do respond to some of the politics.

Sen. Joan Yuille-Williams began her contribution by giving kudos to the PNM for its housing policy and for the contribution of the 20,000 houses in the sugar area. I think what the hon. Senator failed to have mentioned was that the People's National Movement did not contribute a single cent to those 20,000 houses. That money for the houses came from the cess which was collected and the revolving fund. More than that—

**Sen. Mannette:** On a point of clarification, Mr. Vice-President. I wonder if the hon. Senator could inform us whether or not the committee received any funding from the government?

**Sen. C. Cuffy-Dowlat:** Mr. Vice-President, I will come to that and explain that there is a difference between the construction of houses and the administrative fund. Over the years, what governments contributed toward was the administration, not the construction of houses. [*Desk thumping*] More than that, I think the hon. Senator should have pointed out or should have given credit to the diligence of the employees of the Sugar Industry Labour Welfare Committee and, more importantly, to the beneficiaries of that loan portfolio who religiously repaid their loans, these people who knew that the moneys they collected were loans and not grant funding. I think the hon. Senator needed to make that point, hence the reason the fund was able to survive.

Mr. Vice-President, much ado has been made about Caroni (1975) Limited and moneys being owed by the company. This debate is not about Caroni (1975) Limited, but I take the point that if we are talking about collecting moneys, that we must, in fact, talk about Caroni (1975) Limited. I would like to inform this Senate that debt collection against Caroni (1975) Limited has, in fact, started. On June 11, 1998, Caroni (1975) Limited paid \$60,000. As at June 29, 1998 Caroni (1975) Limited has paid a total of \$220,000 towards its debt. More than that, we do have an undertaking from Caroni (1975) Limited to pay approximately \$60,000 per week towards offsetting this debt. So we have, in fact, started collections, [*Desk thumping*] unlike the PNM, Mr. Vice-President, which failed to collect from Caroni (1975) Limited when they were in government.

I heard Sen. Muhummad Shabazz stand in this Senate and say that I had given an undertaking that we would collect from other tenants of the Ministry of Housing and Settlements, National Housing Authority. I wish to assure Sen. Shabazz that we have started, and we are doing what the PNM failed to do when they were in Government. [*Desk thumping*] They failed to collect taxpayers'

money. You see, I think the PNM fail to appreciate and understand that it is the taxpayers of this country who would have contributed to the cost of construction of all the houses in this country. We have started collection and we are doing it in an orderly, organized manner, observing the law.

Another issue which was raised and much weather was made about it, was the question: Why have we not expanded the role of the Sugar Industry Labour Welfare Committee, and thus have other persons benefit? Earlier, that question was raised by Sen. Mohammed in another debate. I had given her the undertaking that discussions were, in fact, taking place. Mr. Vice-President, discussion did, in fact, take place. However, I would like to assure the hon. Senator that Government, in its wisdom, thought it best that this matter can be better addressed to the Land Settlements Division of the National Housing Authority through the State Land (Regularisation of Tenure) Bill, 1998 which is before this Senate and would be debated soon; and also through the housing bond that would soon be issued.

Much more would be said on these issues later, but I needed to explain to the hon. Senator that a government must be wise, must have vision and must have foresight. This is why we are here and they are there, because they lacked those three qualities. [*Desk thumping*] We are addressing the needs of the low income people across the board, not just low income re: sugar, cocoa or fishermen; we are addressing the needs of low income people throughout Trinidad and Tobago.

When the housing bond is, in fact, issued, what we hope to achieve is that we would be able to allow low income people to access loans at very low interest rates. What would happen is that under this housing bond, we would expect that low income people can access the first \$10,000 interest free; \$20,000, 1 per cent interest; \$30,000, 2 per cent interest; up to \$90,000. We use \$90,000 as a cut-off point because we think people who can raise more than \$90,000 can find other institutions which are more than willing to assist them with loans, and even Trinidad and Tobago Mortgage Finance will also be able to deal with them. What we are doing is providing land for them through land settlements, through the Security of Tenure Bill, through the State Land (Regularisation of Tenure) Bill, and we are providing low interest loans for people to be able to construct.

Mr. Vice-President, since the debate seems to have opened several questions on housing, I thought it necessary to read into the *Hansard* the performance of the

Ministry of Housing and Settlements re: 1996—97, and compare it to the years previously.

YEARS	LOTS DELIVERED	HOUSE UNITS	LOANS	TOTAL
1987—91	2,908	-	-	2,908
1992—95	3,821	351	477	4,172

These covered a total cost of \$1,181.4 million in arrears.

1996—97	4,286	980	-	5,266
---------	-------	-----	---	-------

**Sen. Mannette:** Mr. Vice-President, would the hon. Senator be so kind as to tell us what percentage—if she has the information—of those houses which were completed in 1996 were started in 1995. I recall her earlier response to a question in this Chamber, whereas of March or thereabouts of 1996, not one house was started under that Government.

**Sen. C. Cuffy-Dowlat:** Mr. Vice-President, I will come to that information, but more importantly, as I indicated, this is why I also gave the information for 1987—91, bearing in mind that no houses were completed then, but in 1992—95 we did see houses were completed. One has to understand how houses are built, so that one will appreciate the information that is before this Senate.

Mr. Vice-President, if I may continue.

The total number of loans given between 1996—97 amounted to 5,924 as compared to 477 given in the years 1992—95. The total value of loans amounted to \$959 million. An average loan per housing unit was \$161,884 as against \$380,293. You ask us today about the John John Towers? You should be ashamed to make mention of that, hon. Senator!

#### **4.15 p.m.**

Mr. Vice-President, we also want to make reference to the fact that in the Ministry of Housing and Settlements, at this point in time, regularization is also being taken on squatter settlements. This Ministry is, in fact, delivering. I think that is the difficulty Senators on the Front Bench opposite have with us: they cannot accept the delivery that is taking place by this Government.

I offer one word of advice to my colleague and friend, Sen. Mohammed, and that is, she should be a little more discriminatory in what she reads, and

believes as a result. This is all I have to say on her comments on Caroni (1975) Limited.

Sen. Shabazz seems to have some difficulty understanding how governments administer funds and how boards operate. I do not blame him because I remember some mention was made previously of his experiences which seem to be very limited in the field of administration and accountability of funds, therefore, he would not appreciate certain things. [*Laughter*] However, funds are administered by the Sugar Industry Labour Welfare Committee and a board. They are agencies of the Ministry of Housing and Settlements, and if you understand how accountability takes place, the Ministry must also account elsewhere for funds disbursed. Funds are not disbursed by any individual, but by a board.

**Sen. Brig Theodore:** He still does not understand so go ahead.

**Sen. C. Cuffy-Dowlat:** It is no fault of my own; I have invited the hon. Senator to visit and join with us in national unity, and let us build the country. [*Laughter*]

Sen. Jagmohan wanted to know about agencies and groups which collect fees. The hon. Senator belongs to an administration where there always seems to be, in his mind, somebody to collect or get something. I do not belong to that type of administration, so I am unable to say who is going to collect what moneys. At times we are guided by that which we came from, therefore, you would understand, in my mind, how some people would think. Having come from an administration that dealt with a matter in a certain way, he automatically thinks that we would deal with it in the same way. I assure the hon. Senator that at this point in time I cannot tell him, who, if any, firm, individual or otherwise would benefit, because that was never the intention of this piece of legislation. We do, in fact, have tendering procedures for jobs. More than that, as Parliamentary Secretary in the Ministry of Housing and Settlements, I am not as privileged as the attorney who wants to knock at his door, but I am certain there would be people in his administration to guide him with that information.

**Sen. Shabazz:** "Yuh forget Soodhoo and voodoo".

**Sen. C. Cuffy-Dowlat:** More importantly, I think it is important to address the comments raised by Sen. Dr. St. Cyr as to how the expenses for these administrative costs are being carried out at the moment. These costs are carried out under the \$2.2 million recurrent annual expenditure, so it is part of the

administrative cost that is covered by the \$2.2 million. We are hoping now to take that out so that these moneys can be used, the surplus fund, as part of the revolving fund to increase the housing stock.

I most certainly agree with his comments that there should be a general overhaul, which, in fact, is happening under both the Land Settlements Bill and the housing issue. We have thought it unnecessary to expand the role of the Sugar Industry Labour Welfare Committee when the matter could be better addressed under a different bill in which all low income workers could benefit.

Prof. Spence also raised the question of expanding to allow all workers to benefit. We most certainly agree that is the direction to take and this is, in fact, the vision of the Ministry of Housing and Settlements. He did have a difficulty with a line ministry being involved in planning, but I assure him that it is part of this holistic planning. If we can have the line ministry also seeing what is happening overall it would help in settlements planning. What must be thought of now is, when one plans for a nation, it is not just for housing, but also in terms of where industry, agriculture and housing must go. It must also be decided where retention ponds and parks must go. It is a rare, holistic development so you would appreciate how important it is to have the Town and Country Planning Ministry fall within this whole concept of planning.

**Sen. Prof. Spence:** Mr. Vice-President, the hon. Parliamentary Secretary is, therefore, implying that the Ministry of Housing and Settlements is planning for the country. I do not think that is a good idea.

**Sen. C. Cuffy-Dowlat:** I would take the comment from the hon. Senator. What I attempted to do was explain why it was important for us to have the Planning Ministry within the Ministry of Housing and Settlements. It is because of the expanded meaning of settlements in the context of development. However, I do take the hon. Senator's point.

Sen. Dr. Mc Kenzie asked a question concerning funds to be paid to the Comptroller of Accounts. Caroni (1975) Limited pays directly to the Sugar Industry Labour Welfare Committee and then surplus funds, if any, or other funds, are remitted to the Comptroller of Accounts. Hence, in the amendment Bill we have said that after deduction of expenses the rest would be deposited with the Comptroller of Accounts in a special account held for the Sugar Industry Labour Welfare Committee.

In the case of Caroni (1975) Limited, I am unable to explain how the system works up there. However, I can venture to say that it would be no different from that which operates in other areas of collection, whether it is NIS or income tax. I would also let Sen. Dr. Mc Kenzie know that beneficiaries under Caroni (1975) Limited's diversification can also access funds under the Sugar Industry Labour Welfare Committee.

I thank Sen. Rev. Teelucksingh for his observations. We had intended this afternoon to deal strictly with the intent and purpose of a Bill which, as Sen. Yuille-Williams rightly said, is a user fee for people to begin paying for services. For too long—whether people belong to Caroni (1975) Limited or anywhere else—many of us take certain services for granted and at times take advantage of them, but there is a cost attached to these services. I think that the beneficiaries of the Sugar Industry Labour Welfare Committee, more than ever, should appreciate the need to pay for services. More than that, if they understand that part of their service fee is going to be part of a revolving fund from which they and their children could benefit, they would be more than willing to pay for these services. They understand the concept of loan, borrowing and repayment.

I think I have attempted to answer most of the queries raised by my hon. colleagues and I assure them that the Ministry of Housing and Settlements and its agencies would continue to share the vision of development—

**Sen. Mannette:** Mr. Vice-President, I thank the hon. Senator for giving way. I ask one final question. In her winding up, the hon. Senator mentioned the squatter regularization programme, the housing bond to assist people in purchasing land and loans for land. Is it part of the housing policy to construct homes in areas where land is not available in large quantities?

**Sen. C. Cuffy-Dowlat:** I am not too sure I understand, could you repeat the question?

**Sen. Mannette:** The Senator mentioned a number of proposals to assist people in acquiring land to build their own homes. I want to know whether it is also part of the Ministry's policy to construct homes for certain people in the country perhaps in areas that do not have large areas of land available.

**Sen. C. Cuffy-Dowlat:** Mr. Vice-President, I think I failed to mention earlier that we do have joint venture programmes, where we go with private investors. We provide, in some instances land as, for example, in El Dorado, and private



builders do the building. I think what the Senator was trying to find out is whether we are only building single-family units or are we going to build larger high-rise buildings. I need to explain further.

When we look at the land settlements policy you would realize we have established a land bank unit which identifies all the state lands in the country. We then go a bit further and decide which lands are suitable for housing, agricultural and commercial use. Arising out of that we then determine which land is more suitable for either high-rise or single-family units. Therefore, to tell the hon. Senator whether we intend to build high-rise buildings elsewhere, I cannot answer that at this time. The only ones in terms of high-rise buildings existing or under construction, are, for example, Lady Young Road, Savannah Villas or El Dorado.

I thank all the hon. Senators once more for having the opportunity to share the vision for the development of Trinidad and Tobago with respect to the Ministry of Housing and Settlements.

I beg to move that the Bill be now read a second time.

**Mr. Vice-President:** Hon. Senators, I intend carrying this Bill through the committee stage followed by the other Bill, before we take the break. We would just be running a little late for tea.

*Question put and agreed to.*

*Bill accordingly read a second time.*

*Bill committed to a committee of the whole Senate.*

*Senate in committee.*

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

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

*Senate resumed.*

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

#### **SUGAR INDUSTRY SPECIAL FUNDS (AMDT.) BILL**

**The Parliamentary Secretary in the Ministry of Housing and Settlements (Sen. Carol Cuffy-Dowlat):** Mr. Vice-President, I beg to move,

That a Bill to amend the Sugar Industry Special Funds Act, Chap. 64:04, be now read a second time.

*Question proposed.*

*Question put and agreed to.*

*Bill accordingly read a second time.*

*Bill committed to a committee of the whole Senate.*

*Senate in committee.*

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

*Schedule ordered to stand part of the Bill.*

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

*Senate resumed.*

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

**Mr. Vice-President:** Before we proceed to Bill No. 3 on the Order Paper, I think we will take tea. It is just after 4.40 p.m., we will resume shortly after 5.00 p.m.

**4.32 p.m.:** *Sitting suspended.*

**5.05 p.m.:** *Sitting resumed.*

#### **MOTOR VEHICLES AND ROAD TRAFFIC (AMDT.) BILL**

*Order for second reading read.*

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

That the Bill to amend the Motor Vehicles and Road Traffic Act, Chap. 48:50, be now read a second time.

This amendment Bill serves to address an important element of our public transport sector, particularly as it pertains to the carriage of our school children to their prerequisite places of education.

As the Members of this honourable Senate are aware, the Public Transport Service Corporation's fleet of motor omnibuses, as well as private maxi-taxis, provide an efficient and invaluable service for the needs of our school children

across Trinidad and Tobago. Over the years, however, due to geographic, social and economic concerns, there has arisen a more informal mode of school bus transport operating outside the scope of current motor vehicle legislation, yet nevertheless providing an equally important service.

This informal school bus service is characterized by private operators of small, medium and large vehicles operating what is centrally a more personalized community service by transporting school children, including preschoolers and minors, directly to their destinations. The vehicles primarily used in such a service are 12 and 25 seater vehicles of a type similarly used by maxi-taxi operators.

The reason for the continued existence and growth of the sector may be summarized as follows:

1. Owners and operators of such private vehicles reside in remote economic areas where transport is required. Because of community ties, these persons are often asked or required to transport school children to towns and schools which may be miles apart;
2. The fees charged in such instances are not unbearable and are usually what such residents, having regard to their financial and economic status, can comfortably afford;
3. Owners and/or operators use this mode of transport as a means of supplementing their income, often combining this service with other small jobs;
4. The vehicles used are invariably vehicles which work part-time; and
5. With regard to the carriage of minors, that is, children between the ages of three and five, to various pre-schools and kindergartens, the service is personalized, ensuring that these children arrive directly and safely to their various destinations.

The need has arisen to put in place the prerequisite legislative arrangements in order that this invaluable service finally obtains the legitimacy that it truly deserves.

It is worthy noting that both the Public Transport Service Corporation and the maxi-taxi operators have tried to address the need in this particular area, but they have achieved only market failure. Clearly, the informal school bus service can service and thrive in these areas, not only because of the need for such a service, but also because of the combination of factors and the low economic cost that make it a viable alternative.

Considering all these, the Cabinet of Trinidad and Tobago agreed that the Motor Vehicles and Road Traffic Act, Chap. 48:50, be amended to provide for an additional class of motor vehicle permit, so that drivers of motor vehicles in the informal school bus service, the majority of whom hold light motor vehicle permits, shall immediately qualify for permits endorsed for the use of motor omnibuses.

The Bill achieved this through the following methods:

1. Section 50 of the Act is amended to include two new classes of motor vehicles—light motor omnibuses not exceeding 2,950 kilograms, maximum gross weight; and heavy motor omnibuses not exceeding 15,000 kilograms, maximum gross weight—thereby providing for 12 and 25 seater vehicles used in this service.
2. Section 54 of the Act is amended to provide for the requisite colour classification to accompany these new classes.

The Bill shall have the following effects:

1. In the normal scheme of things, a person holding a Class 3, light motor vehicle licence, would normally have to wait six years in order to obtain a Class 6, motor omnibus licence. With the creation of these new classes, once an applicant satisfies the Transport Commissioner he qualifies for the new class of licence under the general provisions of the Act and, among the things under the general provisions of the Act are:

That the person applying should have a certificate of good character and the applicant should also be recommended to the Transport Commissioner from the Public Transport Service Corporation and undergo all the tests necessary for omnibuses.

2. By bringing these vehicles and their use under the motor vehicles legislation, it shall ensure that passengers shall be covered by third party risk insurance, thereby reducing the risk of uncompensated injuries and the resultant losses of aggrieved families.

Mr. Vice-President, the Government, in bringing this Bill to this honourable Senate, seeks to legitimize a service that has arisen out of the education needs of our school children. The Government seeks to acknowledge the initiative of citizens who have served the needs of parents and children in the lower economic

strata of our society. The Government seeks to make our transport sector more efficient, while at the same time, providing it with a more personalized touch and a sense of community. The Government seeks to legitimize the informal service in order to primarily assist the school children of Trinidad and Tobago.

We recognize that in many areas throughout Trinidad and Tobago especially in remote areas, transportation to and from school continues to be a serious problem as we move this nation forward. It is important, having recognized the illegitimacy of this service that continued to exist over the last 40 years, that we now fix the legislative provisions to ensure that it is now legitimized.

I beg to move.

*Question proposed.*

**Sen. Nafeesa Mohammed:** Mr. Vice-President, I know the World Cup fever is gripping many people throughout the world at this point. Notwithstanding that, I intend to be very brief in my contribution this afternoon with respect to this Bill. It is very important that I emphasize certain concerns that we have with this particular piece of legislation and, so serious are our concerns, that we on this side do not propose to support this particular measure.

The hon. Minister of Works and Transport stood in this Chamber and has used the innocent children of our country in his presentation of this Bill, to hoodwink us into believing that here it is this piece of legislation is going to legitimize a service designed to assist the children and parents of our country. We certainly have no difficulty in having any system in place that will help our school children and, indeed, help the parents of the country, if it is that cheaper transportation is going to be provided to assist, especially in remote areas.

We understand the problems that are associated. For example, there are school children who live in Mayaro, or Manzanilla, and who may have to get to school in Sangre Grande and other places, and because of the distance it is important that there is some reliable and efficient means of transportation in order to convey our school children back and forth. We have no problem in wanting to have a good and efficient service.

Mr. Vice-President, when we look at the contents of the Bill before us, we have some very serious concerns, because it talks about wanting to legitimize the informal school bus service, but when we look at section 50 of the Motor Vehicles and Road Traffic Act we see that there are various classes of vehicles provided for,

and we know that when a person obtains a licence, that person gets a licence to drive a certain type of vehicle.

In the Minister's presentation, he made reference to the PTSC service and the maxi-taxi operators. He talked about the PTSC fleet of motor buses and maxi-taxis providing an efficient fleet. Now, we know that in the PTSC, there is a certain class of vehicles where persons would have had to have a special licence in order to drive that particular class of vehicle. Obviously, it is a very heavy duty type of vehicle with which you are dealing. So, for somebody to drive a vehicle like that, it means that the person will have to go through a more rigorous test than say a person who has to drive an ordinary light vehicle.

In this way, by ensuring that you have the drivers who have to drive these very heavy duty motor vehicles, buses or whatever, you know that you would have people highly trained, skilled and able to take control of these vehicles. This Bill before us is seeking to introduce a new class of vehicle. Our concern, with respect to the measures being proposed by the Minister, is that this is going to lead to a very serious reduction in standards and, indeed, in the safety of our drivers and users of this so-called informal school bus service.

We would like to see a good school bus service going for our school children, but we want to ensure that standards are met and that we have a safe, efficient and reliable system to ensure that our school children are taken safely back and forth. When we look at the particular amendment, we see this as watering down the situation.

There are absolutely no checks and balances in this particular Bill before us today, or indeed anywhere else, to ensure that whatever this new class—I am not too sure about the size. I understand it might be a 12-seater vehicle, but we have to express our concerns because in terms of handling these vehicles, we want to ensure that there are people who have the appropriate licences to manage and drive these vehicles.

If you are a maxi-taxi driver and you fall within a certain class of vehicle, you have a licence to drive that particular class of vehicle. Here it is you are now seeking to introduce a new class of vehicle. Do you know how we view this, Mr. Vice-President? We view it as yet another measure on the part of this Government perhaps to give out some lucrative contracts to their friends and families again.

**5.20 p.m.**

It seems as one of their financiers or supporters apparently had some kind of dealings with vehicles of this type and the hon. Minister is seeking to bring a measure to amend the Motor Vehicles and Road Traffic Act simply to facilitate somebody. That is all we can read into it, because no mention has been made about safety and standards and I raise this against a particular background.

From last year's budget debate and this year's debate, the hon. Minister of Works and Transport came to this Parliament and made pronouncements. In fact, the Minister of Finance in his budget speech of last year made some significant changes when he said—and I am sure it would have come on the advice of the Minister of Works and Transport—that they were going to do away with having to pay licensing fees. There would be no more long lines at the Licensing Office and as a follow-up to that, we were assured that instead of having the licensing procedures, one would not have to line up, but there would be garages all over the country.

I remember a few months ago in the newspapers, there was a list of garages published throughout the country where, supposedly, one would be able to take his vehicle and have it inspected. What has become of that system? There are so many vehicles on the streets and we do not know if they are roadworthy, and there are no checks and balances to ascertain whether the conditions of these vehicles are in order. We have to be concerned about the safety, not just of the users of these school buses, but of all the citizens of this country and as usual, in typical style, the hon. Minister has come to this Chamber—and under the guise of doing this to legitimize a service to assist the school children and the poor parents of the country—wants to amend the laws to give effect to this service.

Mr. Vice-President, we see this as an attempt to hoodwink the nation once again and unless we have guarantees that steps would be taken to ensure that safety measures are in place and those persons who are going to be driving these two new classes of vehicles are qualified and able to do so, we are unable to support the Bill in its present form. We see it as some kind of lucrative contract which is going to be given to somebody else.

With buses, a "heavy T" licence is a special type of licence, it is just like a taxi driver. To get a taxi badge, he has to have a special type of licence and we are very concerned about the lowering of standards, and the fact that not enough steps are

*Motor Vehicles (Amdt.) Bill*  
[SEN. MOHAMMED]

*Tuesday, June 30, 1998*

being taken to guarantee the safety of the same people to whom the hon. Minister claims he wants to provide a service.

Mr. Vice-President, let it be noted that we are not against the idea of having a transportation system which would assist our school children and others. We just want to be sure that this measure which is being proposed has certain checks and balances, and throughout the length and breadth of the country that all drivers of other classes of vehicles have a system in place to ensure that roadworthiness, safety and security are taken into account.

Mention was made of special insurance policies. It is a fact that under the old system, when one goes to renew his motor vehicle licence, that is how the Licensing Authority would have had a record of the fact that one is insured, with which company one is insured and what type of insurance policy one has. What do we have in place now to ensure that the requirement for a proper insurance policy is in place? Are there enough policemen on the streets to supervise this?

Mr. Vice-President, they have dismantled in typical UNC style a whole system without having put anything in place to appropriately deal with the problem involved. As I indicated, we on this side would not be supporting this Bill in its present form.

**The Parliamentary Secretary in the Ministry of Housing and Settlements (Sen. Carol Cuffy-Dowlat):** Mr. Vice-President, I rise to support the Bill as presented by the hon. Minister of Works and Transport.

This piece of legislation is, in effect, social legislation in keeping with this Government's policy of wanting to protect and take care of its less fortunate, but at times, enterprising citizens. The hon. Minister has stated the informal school bus system is as old as many of us and probably older.

I can clearly remember as a child attending secondary school how envious I was of my friends who I would see waiting for the mini bus on afternoons, having fun and relating in school the next day all the interesting things which happened on the bus, while I, on the other hand, would be quickly picked up by my father and taken home.

On many occasions, I would ask my parents to allow me to travel with these mini buses but they would not agree, telling me about insurance and accidents, but I never fully appreciated what they were saying. It is only later on in life that I realized that if one of those buses got in an accident, then there would be no third party insurance to cover personal injuries. If for no other reason, the above reason



is why I think this Senate should give this legislation the unanimous approval and support. What we are going to do here with this piece of legislation is to recognize that within our society, there is an informal school bus system and we now want to protect the people who use that system.

Another important reality of this legislation is that the operators on more occasions are women who provide a personalized service which gives parents the assurance that their children arrive directly to school on mornings and at home in the afternoon, and eases the mental pressure of many parents who feel that their children would be safer with a female driver, or any driver who has his or her own children travelling in that vehicle. On many occasions, one would find that the drivers/operators of these vehicles do, in fact, have their own children travelling on these buses.

Mr. Vice-President, the economic reality of our time is that both parents are not at home when their children leave home for school on mornings, and when they return home on afternoons. Since extended families are now unable to provide an important service as previously, the need to regularize a transport system as provided by the informal school bus system becomes even more urgent, if only to assure parents that their children can leave home on mornings and go directly to school and return straight home on afternoons, and in the event of any mishap, there is at least compensation to receive medical attention.

The Government can now, more effectively monitor and control the safety of vehicles, and by extension, the safety of the children by ensuring that these vehicles are properly inspected and have passed the test of roadworthiness simply because they would now be covered under the Motor Vehicles and Road Traffic Act, Chap. 48:50. So it would be important to have these vehicles tested and pass the test of roadworthiness. In addition, control can now be placed on the number of children who are transported in these vehicles at any time, thereby reducing the risk of overcrowding, because many times, if one looks at the informal school bus system, one would notice it is, in fact, overcrowded.

**Sen. Mahabir-Wyatt:** Mr. Vice-President, I wonder if the Senator, in her contribution would let us know how these things are going to be ensured. How are you going to ensure that there are only a certain number of children, and how are you going to ensure that these matters are taken care of? Would the Senator also let us know if the licence is "P" or "H"?

**Sen. C. Cuffy-Dowlat:** Mr. Vice-President, this piece of legislation must be read holistically, in that it must be read in conjunction with the other pieces of legislation relating to Motor Vehicles and Road Traffic, and one would appreciate in those pieces of legislation, the question of the police being able to exercise control and the fact that the licensing department, having to issue certain licences would all be necessary to have this work. So it must be seen in conjunction with other pieces of legislation which relate to Motor Vehicles and Road Traffic.

Mr. Vice-President, the hon. Minister of Works and Transport in his winding up would answer the question with respect to the type of vehicles to which it would relate. This legislation might also appear to be placing a heavy burden of responsibility on the owners in that they must now have adequate insurance coverage and the vehicle must be in good condition. This is necessary, for when we consider the passengers in this case are our children, extra care and due attention must be given to their safety and well-being. Moreso, drivers and operators can find that in the event of an accident, as the law now exists, they can be sued in their personal capacity and lose the little that they now own with the coming of this new piece of legislation, because third party insurance would now become compulsory, they would find that the insurance would be there to assist them, not only the owners/operators, but also to provide some form of relief to persons who may be injured in any mishap.

Mr. Vice-President, I must also emphasize the point that this regularization of the informal school bus system in no way interferes with the regular service as provided by the Public Transport Service Corporation (PTSC), or the maxi-taxi operators, but which, in reality, supplements a service provided by those operators. Again, economic reality has demonstrated that it is not financially viable for either PTSC, or the maxi-taxi operators to operate the school bus system in rural areas because of the attendant economic cost for the administration and maintenance of their vehicles and I think the hon. Minister, in presenting this Bill, clearly stated the reason for the continued growth and existence of the informal school bus system.

This simple amendment to the Motor Vehicles and Road Traffic Act will immediately bring security to the less fortunate children who cannot be personally chauffeured to school, or to have private day care sitters and to persons who live in rural communities to enjoy the safety and security of transport for their children within their communities and to protect the owners/operators themselves.

With these few words, I thank you.

**Sen. Prof. Julian Kenny:** Mr. Vice-President, for the first time I am really worried. I get the impression that we are making something which is illegal, legal and the argument we use is that it has been happening for so many years. I am a bit confused because I hear on a daily basis, that the law must be upheld and here we are, as I interpret it, now going to make something which is illegal, legal. Marijuana is illegal and it is widely used in the country. Are we going to find that an argument that the entrepreneurs and the young people are trying to make a dollar or two a valid argument? It really does worry me that by this legislation, we are basically making something which has been on the books as illegal, now become legal.

The second point I want to make is that I think the arguments about insurance cover are glossed over. I have made enquires and my insurance company tells me when one buys insurance, there are certain terms which apply. If one is using a vehicle with a "P" registration, the third party insurance does not cover one for commercial use of that vehicle. If persons with "P" registration vehicles are going to use them as commercial vehicles, which insurance company is going to cover them? Is the state going to do it?

**5.35 p.m.**

I think that this has to be clarified before I can reasonably support it. I have to be told that these are going to be "H" registration vehicles getting third party insurance cover from their insurance companies. My insurance company tells me that if I am involved with a privately owned vehicle with third party insurance and that is being used as a 'PH' vehicle, that they just laugh, because they do not have insurance. I do not know what the numbers mean, but Prof. Ramesh Deosaran, who is the head of the Centre for Psychological Studies at the University of the West Indies has spoken on this. I cannot remember the actual figures, but he did mention the 'PH' thing as 20,000 or 25,000. Those are the figures that I remember.

It means that we permit 20,000 people to operate vehicles on the public roads, they have their third party insurance, but the insurance is totally meaningless because they are using the vehicles for hire. I read letters in the newspaper saying, "Well, they provide a service for the remote areas. Even the people from National Security, when they are going home late at night, use 'PH' vehicles". Now, this bothers me that we, I do not know if it is a fact: but if we have 20,000 'PH' vehicles on the road, is the next step making it legal? Because they are providing a service

*Motor Vehicles (Amdt.) Bill*  
[SEN. PROF. KENNY]

*Tuesday, June 30, 1998*

to the remote areas. So I am very, very bothered about this particular piece of legislation.

Mr. Vice-President, I go back to this business of us observing the rule of law, we hear it all the time. In fact, the hon. Sen. Cuffy-Dowlath says, "You know that we operate according to the law." What bothers me is that the existing Motor Vehicles and Road Traffic Act makes provision for vehicle emissions. Now, it is not the best law, we know this and we know that standards are being developed, but the hon. Minister of Works and Transport in answer to a question from me about vehicle emissions testing pointed out that 54 per cent of the diesel engine vehicles operating on the roads would not pass the existing law. So here we are condoning 54 per cent of the sample, breaking the law, and we are also condoning, possibly, 20,000 'PH' vehicles breaking the law, and then we turn around and we are now going to make it legal for people to operate something which is illegal.

The Minister knows Blanchisseuse very well and on the Blanchisseuse route there are yellow-band taxis running, there are red-band taxis running and now there is more than one 'PH' mini-bus, and these things transport—there is a desperate problem for transporting people up there. It really does bother me that we do not do what is really necessary, that is, a complete and thorough reworking of the Motor Vehicles and Road Traffic Act.

Thank you, Mr. Vice-President.

**Sen. Prof. John Spence:** Mr. Vice-President, I have just one point which is a query, because it is not quite clear to me. Perhaps I missed something that the hon. Minister has presented. Will these new classes of vehicles require their drivers to take special tests? Or am I interpreting that a Class 3 driver, Class 03, or whatever the new category is called, could have a car driving licence and drive these vehicles? If that is so, then I certainly think that is not a good idea, but if we are going to institute special tests for the new categories then I think that is a different thing altogether. So, I pose the question which was previously asked: are they going to be "P" or "H", and how does that affect the insurance if they remain as "P"? Equally important, will they have to take special driving tests or will somebody who tends to drive a motor car be able to drive these heavier vehicles?

Thank you.

**Sen. Muhammad Shabazz:** Mr. Vice-President, we had started saying that we are not supporting the Bill. There are certain questions which must be answered and we need these questions to be answered clearly.

Firstly, I want to start by saying, we have a licensing system in this country. We have different classes of vehicles. We have different types of licences that people must have to drive these vehicles. I want to remind the Minister that I remember a time when there was a shift in the licensing system where, if one had a "P" car, there was no way one could have driven a light "T" vehicle. The stuff came about because it was felt that if one was driving a "P" car, one could drive a light "T" vehicle without getting a new licence to do that. If one is going to bring in a new class of licence, why is it a person who has a heavy "T" licence could now drive a lighter vehicle or drive the class of vehicles that they are bringing in? Is this licensing system not good and effective enough with some type of special training, rather than bringing in a new class of licensing for people to drive vehicles? Our question is: why must there be a new class? Why? Why are they not telling the people who have to drive, that this vehicle is not a light vehicle, it is a heavy "T", so you have to get your heavy "T" licence, or it drops somewhere in between there. Get a heavy "T" licence, go down to the Licensing Office and get that without having to add a new class to put more burdens on the Licensing Office in order to approve these classes. Why is it not done this way and done effectively?

Secondly, when they were introducing a school bus system somewhere in the rural area, the maxi-taxi people asked: Why could they not be a part of that system? I believe it was the hon. Minister who spoke about the maxi-taxi culture. Are these new vehicles which they are going to bring in going to change the culture of the drivers? How do they propose to change the culture of the people who are now going to drive the vehicles? What assurance are they going to have that it will not be the culture that they are running from—which is a good, proven and tested culture? What are they going to say? How are they going to change that culture to assure us? What guarantee are they going to give us that they are going to change that culture which they detest, do not like, and which they put down? What kind of a culture would these people who are driving 12-seaters—are they coming with a 12-seater or 25-seater culture that is better than the existing maxi-taxi driver culture? Mr. Vice-President, will they be able to tell us that? How are they going to? Are they going to give these people special training to remove that culture? Are these people going to have to go through special courses to remove

that culture? Who will they bring to train them, and things like that? That is important to us, and we would like to know.

The new class? Again: why? We have to ask these questions. One does not have to be a manager or administrator trained in these things to understand. When people are under pressure and we feel it, one does not need to have any special degree to understand that and bring it to administer for people. They want to administer for a certain level of people. They are trying to make us feel for poor people, for cultural people, school children, they want to administer something, but they cannot—even the school people, they will not even take the view of the people who are driving the maxi taxis, because they feel one needs to have a special kind of training in order to give one's view to them.

We have to look at that; they spoke about the long lines last year. Sen. Nafeesa Mohammed brought the issue. They also spoke about how they are going to change around the thing and remove the licensing. All these things are not working. They seem to have put so much burden on the Licensing Authority that they now have to go to special and private garages which are not working. Who will test these maxi taxis and buses, these new vehicles they are bringing? Will it be the Public Transport Service Corporation (PTSC), where the very Minister had said that apparently the PTSC system is failing? Are these the people, who in giving you these licences, will now have to send these vehicles there to be checked? All these things the Minister needs to answer.

Another thing. In Tobago, I have been informed that a school bus system was introduced. It did not have any special licence and it is working. With regard to the people who were interviewed, I understand they were trained, they are driving 25-seater buses. After the 25-seaters were introduced by the Tobago House of Assembly—maybe the Minister should look at it—the people, after being given the special training, were able to use the vehicles and after they are finished dropping the people to school, those vehicles are used to transport people otherwise. Is the Minister now telling us that he is going to get these vehicles to transport people only to school on mornings, go back home and rest; transport people at lunch time, go back home and rest; would that be viable? Would it be successful? Would the people be allowed to run these buses outside the school hours to make money to be able to pay for their vehicles? If that is going to happen, would the Minister be able to tell us that as of now, so that we could understand that and be clear on what the position is going to be with this Bill? Would the people be allowed to work their vehicles on weekends and public holidays? Or would they just be

putting their vehicles down, no driving? How will that affect the operating costs? The bright people, the economists on that side, would they be able to tell us how it will affect the operating and economical costs of these vehicles? I ask these questions simply to understand what they are saying about children and how they are going to be moving them around and how effectively.

I heard Sen. Cuffy-Dowlat, while speaking, say that medical attention will be available if anything happens to children.

**Sen. Cuffy-Dowlat:** Mr. Vice-President, a point of correction. I did not say medical attention would be available. What I was explaining was that with third party insurance one can now receive some kind of compensation in the event of an accident. You see, third party insurance would provide one with coverage and, as such, in the event of an accident or any mishap, one would be able to take action against an insurance company. So it is not that medical attention would be provided, but one would be able to go to the insurance company and seek compensation.

**Sen. M. Shabazz:** Mr. Vice-President, well, medical attention should be available. I do not know if they are taking that away now when they introduce the new bus system. The point is, to me that is it. In any event, if she is now saying third party insurance, how would that insurance system work? Maybe they have already worked that out, they have already spoken to insurance companies as to how it would work. The question of whether the vehicles would be "P" or "H" is very, very vital. We need to know that.

Now, it would seem, as originally, when this school bus system was to be implemented, my information and knowledge tells me that they were going to take all the existing school buses, all the people who were transporting school children and make their vehicles legal. That is what we thought it was going to be. As long as one was already established as someone who was transporting school children, those buses would be made legal, they would be made school buses. Would they now be doing that and adding new vehicles? Because it seems as though there is going to be a question based on—although we have all these maxi-taxis, all these vehicles, new vehicles are going to be added to the system. If new vehicles will be added to the system—and I feel that is why the new class of drivers was introduced, because it is their intent to add new vehicles to the system—have they done a study of what is happening with vehicles on the road? Is it viable? How will they introduce it? Will they be able to tell us all these things? Has the Traffic

Management Division done a proper study to let them know? All these are questions we want to have answered by the hon. Minister.

**5.50 p.m.**

Concerning the question of the Certificate of Good Character which is important for a driver, we would like to know about that as well. It is important to look at the fleet owners if this certificate is going to be required of them. By having a good character it means they might do the proper thing as far as having the vehicles inspected, or they may not cut into a line of traffic and would ensure that the vehicles are safe. Where are you going to stop with the question of asking about good character? These are things we need to know. The Minister spoke about the dangers of the maxi taxis so we also need to know about this.

In truth and in fact, what he is introducing is a maxi taxi system for school children. If he is introducing a 12-seater or 25-seater maxi taxi vehicle for school children, why do we need a new class of licence? Why not give the people who will be driving these new maxi taxis, special training: teach them how to deal with the children and people and make this plan work without having to bring another Bill to the House for approval just to put the system under more pressure? This is something they have been doing all the time. Are they going to continue to do that? Is this necessary?

Where would the school buses be inspected? Is the Minister sure that the buses would be inspected at Public Transport Service Corporation (PTSC)? He may not want that, because he has said that PTSC is falling. Are they going to be sent to these new garages that he is speaking about which have not yet been established? Would he get the garages working before getting this new school bus system into effect? It makes no sense to bring this system into effect to deal with young school children, whose safety he says is important, and he has not gotten the system to ensure that these vehicles are going to be roadworthy over a long period of time. These are some of the main concerns on this side.

If the hon. Minister is introducing a special school bus system to take care of the school children, beside the ordinary third party insurance, he should look for a special type of insurance for the drivers, so if something happens to them he could deal with the situation far better than is the system now. Perhaps he should introduce something special for school children.



Mr. Vice-President, these are our main concerns. We wish that when the hon. Minister is winding up he would take note and answer our questions effectively, if he wants any kind of support from this side.

It seems there is some other motive in introducing this other class of licence. They do not like to tell us that. They want us to always say that whatever they are doing is with honourable intent. Our history is not totally that, therefore, we must bring this side into it from time to time. For the period that this regime has been in power there has been a number of things it did not do with honourable intent. They are doing all kinds of things and when we ask why, they say that it is because they took an oath. They have changed from one position to another because they have taken an oath. The oath makes them change their position.

It was said in this honourable House. "The law is the law and it must be kept." It is my intent to keep the law and we are going to keep the law regardless. When they want to change the law they come here and say, "Well, if we change this law it would make it easier." "What is the law?" "The law is the law and it must be kept." That is what they say. They say one thing here, but if they do not implement it effectively something else could come out of it. They would then come back to Parliament and would say, "Well, we are the lawmakers and we made that decision so leave it like that."

The point is, since we have to be part of the law that is going to be passed, we want to ensure that we have proper answers and are clear in our minds what we are becoming a part of and giving our vote for. We want to be very clear that this is what is going to happen, because when it goes wrong, they would not say that it is the Government's fault. They would say, "You all sat on the Bench and the House supported it." Those are the kinds of excuses and reasoning they are going to put forward. Therefore, in order to stop that, we need clarity. We want the hon. Minister to be very clear in his winding up, down, or whatever. Something seems to be very strange and very funny with this Bill. I want to emphasize and re-emphasize that point: something does not seem to be straight in this matter.

We could give examples as to why at times we do not want to support them. We could give a set of information why we do not want to support this Bill. They know that the PNM people are the best ones to deal with and bring information. They know that. [*Desk thumping*] This is why they gave the Ministry of Information to PNM people. We do not run from situations, Mr. Vice-President. The PNM people do not run. If there is a problem with the maxi taxi plan we would not run away from it, but stand up and fight it. We are taking a position.

*Motor Vehicles (Amdt.) Bill*  
[SEN. SHABAZZ]

*Tuesday, June 30, 1998*

We do not say that we are people for labour and when labour put pressure on us, we run from where we live and go somewhere else to get away from it. We do not jump on a plane, run away and go to other people, but we stand up for what we believe. If in this Bill we believe certain things should be done, we want them done. This is what we are about.

We do not want to become "pseudo-labour people". *[Laughter]* It is our duty, if we say we are going to build garages, we will. If we say that we are going to take away licences because we are taking away the licence cost, we are not going to raise the price of gas or tell the public to pay a new inspection fee to the Licensing Office. This is what they did, and they feel that they could continue clouding the minds of the people that way, because we are just a people of "nine-day" wonder.

**Sen. Kuei Tung:** Ten-day wonder. *[Laughter]*

**Sen. M. Shabazz:** I told you that the days were extended, "we gone to more days now." *[Laughter]* Whether it was extended by one day or not, we are no longer a "nine-day" wonder. As we speak about "ten days", we in the PNM are proud of that. You can move in the PNM at any level from one point to another if you have the ability. *[Desk thumping]* We have stood up for all people, all classes at all times. We do not change our position against one system and then on an important day for us when we should be in another place at another time, we are somewhere else.

Mr. Vice-President, do you know what they do when we tell them that they have changed their minds, they come to this honourable House and say that it is only a wise man who could change his mind. *[Laughter]* Foolishness! We disagree with that. It is that philosophy which made them say that the maxi-taxi system is not good, then come back to introduce the same system saying that it is one for school children so the culture would be different. We do not want the maxi-taxi culture. We are asking this regime if it stands for one thing be for that one thing. *[Laughter]*

I would use what they have said. *[Desk thumping]* I want them to know that as PNM we always listen. I wish that they too would take the opportunity to listen when we speak so that they would do a number of right things in this country. It is because they do not listen that they do so many wrong things.

Thank you. *[Desk thumping]*.

**Sen. Dr. Eastlyn Mc Kenzie:** Mr. Vice-President, I am happy, confused, perplexed and everything. *[Laughter]* At one time listening, I said, "if it ent broke doh fix it". Then all sorts of thoughts came to my mind. I wonder whether we are really ready for this. I would tell you the background against which I say these things.

Would this special vehicle be licensed "P", "H" or what? I ask this because these days we are making a fuss about "PH" vehicles and swoop down on them. "PH" drivers say they are operating like this because real taxis do not want to go to the areas they do, drop people in off streets, take people with baggage or deal with little miserable children. Here we have this march against the "PH" vehicles but we want to license vehicles that probably are not taxis, for some of the same reasons that the "PH" vehicles say they are operating. It is confusing me.

Secondly, I thought of the special "P" buses that transport children in special schools. The school for the deaf uses a "P" vehicle to take children to and from school; again, I wonder what is happening there. Are we going to tie the recognition of these vehicles to the drivers? Is it going to be a special person who will drive a special licensed vehicle, or will the licence be given to anybody? If I have a vehicle that is licensed to carry children, and one day I am too ill to drive it, would somebody who is not considered an operator of that vehicle be able to drive it? These things were not made clear. What about these "P" vehicles that operate in hotels and so forth, to transport people on tours?

As I said, I am confused, but I would tell you why I am happy. I know that in some instances some of the people who operate these services are those who genuinely provide a needed service. Secondly, many of them are females who do their own house work. All they do is skip out on mornings, drop the children to school, skip back home to do their work, and at a specific time on afternoons they collect the children and bring them home. They have a certain type of motherly behaviour to the children: they see that they behave on the vehicles, they search for them, if one has home lessons or is kept in at school, they are so motherly that they stop and ask, "Where is Karen, go and look for her, bring her here." There is a certain type of motherly affection and concern with which these people operate. How do we differentiate and separate them? How do we distinguish? That is why I said, I am happy but confused and concerned.

We need to work the system out well and detailed. Even if it means deferring the conclusion of this debate for another session until we could get some concrete things put in place.

**6.05 p.m.**

Let us not rush it, Mr. Vice-President. Let us work out all the little ideas that are coming up now, that we probably could not have thought of, and see how we could come with something that is detailed and really reasonable.

The situation in Tobago may be quite different but, again, in some of the rural areas, I know, for example, for teachers to get into places like Parlatuvier and Castara, there was no public transport to take them there. The Tobago House of Assembly assisted by sending a special vehicle to transport these teachers. Teachers with cars would take children and teachers.

Let us not make a law for one part of the country. Let us look at the thing in a holistic manner. Let us debate and let us not come to a conclusion hastily, because I am sure that if we continue as we are going as we have the details here, we are going to incite the wrath of some "PH" drivers on whom we are trying to clamp down; we are going to get the wrath of some insurance companies that are wondering how we are going to deal with the issue and, I think we need probably a few more days to soberly and dispassionately sit and work out the whole system to come with concrete details of how we can bring the matter into a proper type of operation.

I commend the hon. Minister for thinking out the procedure and for trying to bring a service to people who really need it, but I think we need to flesh out the thing very, very specifically even if it means positive discrimination. At times, we are scared of engaging in positive discrimination. Even if it means going to these rural areas where a service is being provided and saying that we are going to start with a pilot project and license these 10 vehicles with these 10 female drivers, or whomever, to provide a service for these school children in a recognized way; then we see how it works and we spread it out. We can see the merit in even that.

I end by saying I am happy, I am confused, I am concerned. I thank you, Sir.

**Sen. Philip Marshall:** Mr. Vice-President, I do not envy the position of the hon. Minister of Works and Transport.

This is a very serious issue. A government is responsible for providing certain services for our youth. We have said time and time again that education and human capital is the way forward for the country. I am sure the Minister of Education and other Ministers will tell you the numbers of days lost because people and children have not had adequate transport to our schools. I see this not as a transport

problem, but as a lack of universal service for those to be educated and what has happened is, we have put the monkey on the back of the Minister of Works and Transport. He is being forced into a situation of legalizing a totally untenable situation.

Should the Government not have a budget for transporting children to school so, they do not have to pay for the cost of running these vehicles? The children have to pay for the cost of the transport and then they are put at risk because the vehicles are not insured.

At least, first of all and one good point so far, I was relieved to hear that the drivers of these vehicles seemed to be, in many cases, women, because I put great store by our womenfolk in this country in terms of the responsibility that they have demonstrated. I have never seen a woman maxi-taxi driver overtaking on the shoulder, or accelerating down a hill.

My concern here, first of all, is not whether the vehicle is licensed as a "P" or "H". I see here in the Bill, they hold mainly Class 3 licences and there is a category of vehicle going from 3,000 kilograms to 15,000 kilograms. The first question is: Is the driver of that vehicle properly trained and experienced to handle a vehicle of that size in the specific traffic or geographical conditions, uphill or downhill, that he may face? The next critical question is: Is that driver properly licensed, tested and renewed? That is point number one.

I feel that once the driver can demonstrate through proper licensing authority test that he is capable of driving the vehicle, that once he or she is in charge of the vehicle, that the passengers in that vehicle should be insured regardless of whether it is a "P" or "H". If necessary, the Government, through its Treasury, should be made to fund part or all of the insurance costs for third party liability, because it is not having to fund the cost of the vehicle, or of the payment of the driver, so this otherwise would be a cost straight out of the Treasury. What we have done in a sense is out-sourced the cost of this transport and exposed other people to liability.

I end with those two salient points. Is the driver properly tested to drive the vehicle? And, if insurance has to be paid regardless of whether it is a "P" or "H", why is this not partly funded by the Government which otherwise would have had to pay the significant cost of transport to schools in areas where a service is not presently being rendered?

With those two comments, I wish the Minister of Works and Transport the best of luck.

**Sen. Cynthia Alfred:** Mr. Vice-President, I just want to make a very brief contribution. I would like to ask a question which will come perhaps after I make a comment.

The Bill before us is to amend the Motor Vehicles and Road Traffic Act, but the whole question deals really with school transportation, so I am wondering whether the question is about amending the Act or about school bus transportation. I was wondering whether, in fact, having this Bill before us as an amendment, we should not be having a bill entitled something like the school bus transportation bill, because all we see here are a few amendments, but the whole discourse is on the school bus transportation.

Is it, therefore, that we are amending the Act and bringing in the school bus transportation as a sort of adjunct to the whole thing? Or are we really discussing the question of school transportation? If it is the latter, then I would suggest that the Minister, even if he wants to amend this Act, give serious consideration to naming, or renaming, or having a separate bill called the school bus transportation bill. Otherwise, we will end up amending this piece of legislation but, in fact, having all the discussions about the school children and some about the school transportation but somehow, in my mind, the two do not mesh. Those are my points.

Thank you, Mr. Vice-President.

#### ADJOURNMENT

**The Minister of Public Administration (Sen. The Hon. Wade Mark):** Mr. Vice-President, at this point, I want to move the adjournment of this Senate, but before doing so, let me inform hon. Senators that we are going to continue the debate on this Bill No. 3, the Motor Vehicles and Road Traffic (Amdt.) Bill; we are going to proceed to deal with an Act to provide for community mediation as an alternative to litigation for certain summary offences; we are going to debate Bill No. 8 dealing with cohabitant rights and obligations, as we are all aware. These are the three matters that we will deal with: the Motor Vehicles and Road Traffic (Amdt.) Bill, Bill No. 4 and Bill No. 8.

Mr. Vice-President, I beg to move that the Senate do now adjourn to Tuesday, July 7, 1998 at 1.30 p.m.

*Question put and agreed to.*

*Senate adjourned accordingly.*

*Adjourned at 6.15 p.m.*