

*Leave of Absence*

*Tuesday, July 21, 1998*

**SENATE**

*Tuesday, July 21, 1998.*

The Senate met at 1.31 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. Rev. Daniel Teelucksingh from sittings of the Senate from July 20 to August 10, 1998. Leave of absence has also been granted to Sen. Prof. John Spence from July 20 - 26, 1998 and Sen. Carol Cuffy-Dowlat from July 20 - 28, 1998.

**SENATORS' APPOINTMENT**

**Mr. Vice-President:** Hon. Senators, I have been advised that His Excellency the Acting President has appointed Rev. Everson Sieunarine a temporary Senator with effect from July 20, 1998 and continuing during the absence from Trinidad and Tobago of Sen. Rev. Daniel Teelucksingh.

I have also been advised that His Excellency the Acting President has appointed Dr. Edmund Chamely a temporary Senator with effect from July 20, 1998 during the absence of Sen. Prof. John Spence.

His Excellency the Acting President has also appointed Rev. Elaine Teemul a temporary Senator with immediate effect and continuing during the absence from Trinidad and Tobago of Sen. Carol Cuffy-Dowlat.

Also, I have received the following communication from the Acting President:

“In exercise of the power vested in me by paragraph (b) of subsection (2) of section 40 of the Constitution of the Republic of Trinidad and Tobago, I, GANACE RAMDIAL, Acting President as aforesaid, acting in accordance with the advice of the Leader of the Opposition, do hereby appoint you, JOAN YUILLE WILLIAMS, a Senator.”

**OATH OF ALLEGIANCE**

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

*Mrs. Joan Yuille-Williams, Mrs. Elaine Teemul, Rev. Everson Sieunarine and Dr. Edmund Chamely.*

**VACANT SEAT**

**Mr. Vice-President:** Hon. Senators, I have received the following communication from the Acting President:

“...I, GANACE RAMDIAL, Acting President as aforesaid, acting in accordance with the advice of the Leader of the Opposition, in exercise of the power vested in me by the said paragraph (e) of subsection (2) of section 43 of the Constitution, do hereby declare the seat of you, Senator Elizabeth Mannette, to be vacant.”

**FOOD AND DRUGS (AMDT.) BILL**

Bill to amend the Food and Drugs Act, Chap. 30:01, brought from the House of Representatives [*The Minister of Health*]; read the first time.

*Motion made*, That the next stage be taken at a later stage of the proceedings.  
[*Hon. Hamza Rafeeq* ]

*Question put and agreed to.*

**1.40 p.m.**

**PAPERS LAID**

1. Annual Audited Accounts of the National Helicopters Services Limited for the financial year ended September 30, 1997. [*The Minister of Public Administration (Sen. The Hon. Wade Mark)*]
2. Annual Audited Accounts of the Tourism and Industrial Development Company of Trinidad and Tobago Limited for the financial year ended December 31, 1996. [*Hon. W. Mark*]
3. The Supreme Court of Judicature Family Proceedings Rules, 1998. [*Hon. W. Mark*]
4. The Supreme Court of Judicature Civil Proceedings Rules, 1998. [*Hon. W. Mark*]

**ORAL ANSWER TO QUESTION****Environmental Management Regulations**

**31.** *The following question stood on the Order Paper in the name of Sen. Diana Mahabir-Wyatt:*

Could the hon. Minister of Planning and Development tell this House when the regulations under the Environmental Management Act which were due to be laid in Parliament last year will in fact be laid?

*Oral Answer to Question*

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**The Minister of Public Administration (Sen. The Hon. Wade Mark):** Mr. Vice-President, I have consulted with Sen. Diana Mahabir-Wyatt on having this question deferred for one week, and she has consented.

*Question, by leave, deferred.*

**FORESTS (AMDT.) BILL**

Bill to amend the Forests Act, Chap. 66:01 [*The Minister of Agriculture, Land and Marine Resources*]; read the first time.

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

*Question put and agreed to.*

**SAWMILLS (AMDT.) BILL**

Bill to amend the Sawmills Act [*The Minister of Agriculture, Land and Marine Resources*]; read the first time.

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

*Question put and agreed to.*

**ARRANGEMENT OF BUSINESS**

**The Minister of Public Administration (Sen. The Hon. Wade Mark):** Mr. Vice-President, I seek leave of the Senate to deal with "Bills Second Reading" under "Private Business" before dealing with "Government Business".

*Agreed to.*

**UNIFIED ISLAMIC ORGANISATIONS  
OF TRINIDAD AND TOBAGO (INC'N.) BILL**

*Question put and agreed to,* That a Bill for the incorporation of the Unified Islamic Organisations of Trinidad and Tobago, and for matters incidental thereto, be now read a second time.

*Bill accordingly read a second time.*

*Bill referred to a special select committee of the Senate appointed by the Vice-President as follows:* Sen. V. Tota-Maharaj (Chairperson), Sen. N. Moore, Sen M. Jagmohan and Sen. Dr. E. St. Cyr.

### LAND ACQUISITION

**The Minister of Housing and Settlements (Hon. John Humphrey):** Mr. Vice-President, the Motion is listed to be presented by the Minister of Agriculture, Land and Marine Resources. In June, the Prime Minister adjusted portfolios and the Minister of Housing and Settlements is now responsible for lands and surveys. That is why I am in the Senate this afternoon.

Mr. Vice-President, I beg to move the following Motion:

*Be it resolved* that this House approve the decision of the President to acquire the land described in the Appendix for the public purpose specified.

Mr. Vice-President, in the Appendix is a description of the land and I now read this for the record.

- “1. The following parcels of land containing together 2477.9m<sup>2</sup> more or less, situate opposite Light Pole No. 454, on the Eastern Main Road, Arouca, in the Ward of Tacarigua in the County of St. George and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 26<sup>th</sup> March, 1996 and filed in his office are required for a public purpose: Drainage improvement.

#### SCHEDULE

Six parcels of land containing together 2477.9m<sup>2</sup> more or less, situate opposite Light Pole No. 454 on the Eastern Main Road, Arouca in the Ward of Tacarigua in the County of St. George and comprising as follows:

- (a) 5.3m<sup>2</sup> more or less said to belong now or formerly to Bachu;
- (b) 16.4m<sup>2</sup> more or less said to belong now or formerly to Bachu;
- (c) 1.6m<sup>2</sup> more or less said to belong now or formerly to Shek Mohammed;
- (d) 428.9m<sup>2</sup> more or less said to belong now or formerly to W. Ash;
- (e) 1422.3m<sup>2</sup> more or less said to belong now or formerly to Gerald Richardson; and
- (f) 603.4m<sup>2</sup> more or less said to belong now or formerly to Home Construction Limited.

These parcels are more particularly shown coloured raw sienna on a Survey Plan filed as J. B. 135 in the Vault of the Lands and Surveys Department, Red House, Port of Spain.”

Mr. Vice-President, one will notice that the Director of Surveys signed this acquisition on March 26, 1996. I have to admit that if Members are concerned with the length of time it takes to process acquisitions, especially for matters as important as drainage, I would endorse that concern. I would wish, Mr. Vice-President, to give the assurance to this Senate that now the responsibility of the Lands and Surveys Division falls under the Ministry of Housing and Settlements, as Minister, I would do everything in my power to expedite the whole process of acquisition, especially for uses that are so important.

Mr. Vice-President, if there is any matter pertaining to the details of this particular project, I would expect that the Minister of Works and Transport who is responsible for the Drainage Division of the Government would be prepared to elucidate.

*Question proposed.*

**Sen. Nafeesa Mohammed:** Mr. Vice-President, it is indeed a pleasure to have a gentleman in our midst to present this particular Motion for land acquisition; a gentleman who has acted as Prime Minister of Trinidad and Tobago on so many occasions; and a gentleman whom I have heard references being made to as "honest John". I refer to the hon. Minister of Housing and Settlements. I have no doubt that the hon. Minister of Housing and Settlements is a gentleman with sincere intentions.

However, there are occasions when the hon. Minister makes statements and there is cause for concern. A while ago, the hon. Minister in presenting this Motion for the land acquisition, said that if we want any details or more particulars with respect to this particular Motion to acquire these parcels of land, the Minister of Works and Transport would be the person to get those details from. I have to wonder where is the Minister of Works and Transport. If we wish to have more details on this particular Motion, when and how are we to get these details?

Mr. Vice-President, the hon. Minister presented the Motion and gave us absolutely no information in terms of the nature of the works to be carried out and what have you. We must be concerned about this very slipshod manner in which this Government operates its affairs. On so many occasions very important matters are taken for granted by this Government. It just expects to come and present matters before us and rush them through. We, the Opposition, have an important role to play. We have to keep the Government on its toes. This is a Government that is committed to transparency and all the phrases we have heard for such a long time.

The hon. Minister presented this Motion in less than a minute and said virtually nothing about the actual acquisition of the lands, except that there was a delay in terms of the acquisitions when one look at the date the survey was carried out. Of course, this is a matter for grave concern. One would see in the Motion that since March 1996, the survey plan had been signed by the Director of Surveys. Some two years and more after that date they are now bringing this Motion before the Parliament. We have complained before and we will complain again, about the delays that take place under this particular administration, not just with land acquisition but in nearly every aspect of government in this country today. This is the reality we are seeing, where we have a Government in power that seems totally incompetent and unable to conduct the affairs of this nation in a very serious manner.

Mr. Vice-President, I say this because here we are dealing with the acquisition of a certain parcel of land in Arouca. There is a column in the Appendix that refers to the public purposes for which these lands are to be acquired. It says here that the lands are being acquired for the purpose of drainage improvement.

Mr. Vice-President, we are a responsible Opposition and we believe that if steps are being taken to alleviate the hardships of citizens, we would support such measures that are designed to bring benefit to the people of Trinidad and Tobago. When it comes to drainage improvement, we know for a fact that poor drainage is bound to lead to flooding. Here a Motion is being debated at a time when the rainy season has already started. When I saw this Motion I could not help but remember the recent flooding that took place and did so much damage in so many parts of Trinidad, particularly in Central Trinidad.

**1.55 p.m.**

Mr. Vice-President, I refer hon. Senators to the *Public Sector Investment Programme 1998*, a document that was presented, I think, in December 1997 for the 1998 budget. At page 4 of this document it states under the heading, Drainage and Flood Control:

“The preparatory work on the First Phase Drainage and Flood Control Programme, for which World Bank (IBRD) funding is being sought...a contract was awarded in the sum of \$4.0 million for a study of the Caparo River Basin. The study, which will be completed in 1998, will examine options for solving the flooding problems in this area.

Progress with respect to the Major River Clearing Programme lagged behind schedule, although there was some measure of acceleration in the third quarter. The civil works undertaken involved the diversion of the Kelly Canal, a tributary of the Caroni River, into the Guayamare River, the dredging of the St. Ann's River estuary, reconstruction of retaining walls along the Caparo River and rehabilitation of sluice gates in the Caroni Irrigation Area."

I have made references to these statements in the PSIP 1998 document because when we go further on page 24, it states under the heading, "Drainage":

"As part of a continuing strategy to reduce the incidence of flooding and attendant economic losses and distress to householders an allocation of \$35 million has been made in 1998 to carry out or develop drainage and flood control projects.

An allocation of \$10.0 million has been budgeted. A technical study to inform the design of long term solutions for the flooding problems in the Caparo River Basin will be completed during the year. Contracts have recently been awarded for work at the Caparo River..."

I make references to these matters because once again, it is because of the tardiness and the lengthy delays in implementing these flood-control programmes that we have the Government admitting in the PSIP why these programmes did not get off the ground. I specifically made reference to this World Bank loan.

Mr. Vice-President, I am sure the hon. Minister of Housing and Settlements would remember that way back in 1993 there was serious flooding in this country, particularly, in Central Trinidad. There were certain Members of Parliament, one of whom is now deceased, who had agitated for some attention to be paid to this issue of flooding in those areas—the areas are very close, they are all linked to where we are dealing with this land in Arouca because there is the Kelly River—and as a result of the agitation of those Members of Parliament who were then Members of the Opposition, the People's National Movement government responded in a very quick and decisive manner, to the extent that instructions had been given for concerted efforts to be made to arrange for funding in order to control this problem of flooding, particularly in the Central areas.

Mr. Vice-President, if Members were to look at our 1995 manifesto, they would see where it was specifically stated at page 18, under "Drainage and Flood Control Programme":

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“The Government has embarked on a TT\$400 million National Drainage and Flood Control Programme, funded by the World Bank, which includes upgrading of critical river systems throughout the country.

Design work has been completed or is in progress for the first year works, including upgrading of the Diego Martin, Maraval, St. Ann’s, Malick, and San Juan Rivers in the North, the Caroni and Caparo River Basins in Central Trinidad and the Marabella, Vistabella and Ciperó Rivers in the South.”

Later on, at page 35 it states:

**“National Drainage Development Programme, funded by the World Bank**

All major rivers, water catchment, drainage and irrigation systems in the country will be developed and upgraded. Detention ponds, sluice gates, heavy duty pumps and other flood control systems will be installed in low-lying or flood prone areas, at a total cost of TT\$400M. Construction work will commence in early 1996.”

Mr. Vice-President, everything was in place, funding was arranged and work was supposed to have commenced in 1996 with respect to dealing with this very serious problem of flooding in this country. What has happened, Mr. Vice-President, as Senators would recall, is that up until the last budget debate when we made enquiries about what was happening with the work at the Caparo River, a couple days after we saw the Minister of Works and Transport “gallerying” in front the television cameras where he announced that work had actually commenced on the Caparo River.

Mr. Vice-President, do you know what is the sad thing, notwithstanding all the “pappyshow” that took place? When the recent floods took place in June of this year, we almost had a disaster in certain parts of Central Trinidad, particularly, in the Piarco, St. Helena, Madras and Kelly areas because the Caroni River had actually overflowed.

I have in hand a report from the *Express* newspaper dated Wednesday, June 17, 1998, headlined: “Panday tours stricken Central Trinidad.” This article refers to a tour by the Prime Minister and several Ministers of Government of these flood-stricken areas in Central Trinidad. What is very sad, Mr. Vice-President—and I want to read these comments so that they would go on the record of *Hansard*—is that there were hundreds of people being affected; apart from their houses being flooded, crops were destroyed and there was widespread suffering as



a result of the flood in those areas. When one of the Ministers was asked by a journalist to respond to the connection of the flood and the burning of the hills and drainage maintenance he replied: "You should be in the Olympics." That was not all, Mr. Vice-President, when the journalist put a question to the hon. Prime Minister, he said: "El Niño, El Niño, my dear. In the meantime, enjoy the scenery." Enjoy the scenery! People were suffering; their crops destroyed, homes under water and the Prime Minister of Trinidad and Tobago, who is supposed to be so concerned about people in this country, tells those people to enjoy the scenery. That is the biggest insult to the population of this country and, particularly, to those citizens of Central Trinidad that has taken place in recent times.

Just recently, I think, it was on Wednesday, July 14, 1998, in the very same *Express* there was an article headlined: "One billion shortfall in revenue could affect flood funding, says Prime Minister." As a result of the shortfall of oil revenues we are being told that the flood programme was going to be affected by no less a person than the Prime Minister of this country. We have to be very concerned about the manner in which this Government is operating.

We know that there have been problems over the years with some flooding. The People's National Movement, whilst in power, made concerted efforts and dealt with this problem in a very significant way. However, since the United National Congress came into power, nearly every project they have put their hands on, if it is not some wanton corruption, it is bungling incompetence taking place and the problems are worsening. [*Desk thumping*] We, on this side, have to express our concerns.

I made mention of these matters because the Motion before us deals with drainage improvement and if we are talking about drainage improvement, we are talking about improving the drainage system in an effort—the hon. Minister of Housing and Settlements has not given us any other particulars, but certainly when drainage is improved in the country it ought to help with the flooding problems. We expect and hope that the acquisition of these lands would be in relation to improving drainage in the particular area that is described in the Schedule, with a view to controlling the flood problem.

We know that in the Piarco area, this is a serious problem. In this Motion, the schedule referred to six parcels of land to be acquired from several individuals: Bachu, Shek Mohammed, W. Ash, Gerald Richardson and Home Construction Limited.

**2.05 p.m.**

As I mentioned before, we did not get many details, but certainly we have to condemn the Government for the things that are taking place, not just with the acquisition of land, but certainly with the implementation of projects. Instead of going around the country “pappyshowing” and “gallerying”, we would like to see real action. We would like to see these problems tackled headlong. We would like to see the problem of flooding a thing of the past.

Mr. Vice-President, insofar as this acquisition is concerned, we are assuming that the purpose of the land acquisition is really for drainage improvement. We wish we could get more particulars. I see the Minister of Works and Transport is here. Perhaps if he is minded, he will give us some more details so that we could respond accordingly.

**Sen. Dr. Eastlyn Mc Kenzie:** Mr. Vice-President, I go back to my beaten horse. I hope that with the shifting of this portfolio to another Ministry, we would see the type of action that would alleviate the hardships of many people, especially in Tobago, whose lands have been acquired and not paid for.

Early this year, I asked a question in this honourable Senate. The hon. Minister of Agriculture, Land and Marine Resources responded. I ask your permission, Sir, to go back to the question and the answer. I asked the hon. Minister whether all lands acquired, used or entered upon in Tobago by the state, for the development of projects, had been paid for. If that answer was in the negative, I asked whether he would be so kind as to give details of the lands not paid for: the acreage, the location, boundaries, owners, purpose for which the land was acquired and the reason for the delay in payment.

To make a long story short, the hon. Minister gave a document to support his answer. There were 15 pieces of land acquired by the state for which compensation was outstanding. In addition to that, there were 26 pieces which were also used by the state but not acquired. The reasons were given for the delay in payment in the instances of the first 15, but no reasons could have been given for the next 26 because they were not formally acquired.

So, there were 41 pieces of land in Tobago that the Government had used and for which the owners were not compensated. Many times the reasons given were that the lands had no title. Not one reason was given that the title could not have been found. There were all sorts of reasons: the claim was negotiated; the claim payment was being processed; awaiting advice of Chief State Solicitor.

I would have been very happy if this hon. Minister could tell me today how many persons have been compensated since that time, but I know it is an unfair question to ask the Minister. He has stated from the outset that the portfolio has just been shifted to him. However, I hope he would investigate this and give me an answer, even in private.

What was even more distressing was that after getting this information, I published it in the *Tobago News*. I asked the people of Tobago if their lands were utilized or acquired by the state and their names were not on the list I had published, to consult me. Lo and behold, there were about 8 other persons. What was disheartening was that these persons had documents from the Director of Surveys explaining why they were not being paid and asking for additional information. Yet their names were not on this list.

At this stage, I would like to pay special tribute to the Parliamentary Secretary in the Ministry of Agriculture, Land and Marine Resources. Both of us had something going where I submitted to her the names that were not on the list given to me by the hon. Minister. She sent them to the Director of Surveys and those persons were able to call me to say that they had seen some action in that they were written to. They told me that the Parliamentary Secretary, Sen. Vimala Totamaharaj had acted to assist in alleviating the problem. *[Interruption]* I do not want to say what Sen. Mohammed has just said. I would say that there is something in women that makes us like to do what we have to do. I specially thank her.

I make a special plea to the hon. Minister that Government should not enter upon anyone's land unless it pays for it. If it knows it is going to acquire the land, it should put away the money and, as soon as it enters upon the land, pay for it. I would like to see a pay-first system operating when Government acquires people's lands.

In fact, I would like to tell the hon. Parliamentary Secretary that one of the persons whose names I gave her died without her money. Why can the Government not pay for people's lands before they enter upon them? They know how much land it will be. Why do they not negotiate the value per square foot with the people and pay them before the lands are used? I wish we had that system. I would oppose the acquisition of these parcels of land unless Government pays for them.

**2.15 p.m.**

Here is a situation in Tobago. On some of the very lands the Government has entered, the Tobago House of Assembly has begun to put up fences and signs: “No tethering of animals.” So the Government takes my land, it has not paid me for it, it puts up a fence and tells me not to go on those lands. To whom do the lands belong when the Government did not pay for it and is using it? Is the land mine or theirs? Could someone go into somebody’s place—the grocery, the supermarket or wherever—and take up goods, walk out with them and not pay the owner for 3, 5, 10, 15 or 20 years?

Mr. Vice-President, it is a disheartening situation, but I have the confidence that with the shifting of portfolio, this hon. Minister, with his feeling for the poor, with the expressed concern and action that he has taken in matters concerning land, squatting and regularization; with the help of female parliamentary secretaries, he is going to ensure that Government does not become the biggest squatter in this country. I hope that very soon owners of these 41 pieces of land, plus the persons on the list I gave to the Parliamentary Secretary—all persons in Tobago and in Trinidad whose lands have been used, entered upon or acquired—would be paid for their lands.

It is with that hope that I support the Motion to acquire these lands for that use. I sincerely hope that this hon. Minister will get all the information and facts from Parliamentary Secretary Vimala Tota-Maharaj, and work very seriously and urgently to ensure that these poor people—because some of them are very poor and the strips of lands are very small—would feel very comfortable knowing that there is somebody who is going to see about their welfare.

Mr. Vice-President, I thank you for giving me the opportunity to speak and for giving me the chance to go back to the notes I have referred to.

**The Parliamentary Secretary in the Ministry of Agriculture, Land and Marine Resources (Sen. Vimala Tota-Maharaj):** Mr. Vice-President, I rise to give support to this Motion presented by the hon. Minister of Housing and Settlements. I would like to address the issues raised by Sen. Dr. Mc Kenzie concerning land acquisition.

At present, everyone is aware that the Lands and Surveys Department now falls under the purview of the Ministry of Housing and Settlements. So, we have now included another ministry into our land acquisition programme, so to speak.

The Ministry of Agriculture, Land and Marine Resources, the Ministry of Housing and Settlements, the Ministry of Tobago Affairs and the Tobago House of Assembly are all working together as a team to sort out all these land acquisition issues.

When it comes to land issues, it is a very long, tedious and frustrating exercise. Since I have been in the Ministry I myself have been dealing with land issues dating back to even before I was born—to 1948. There are many outstanding land acquisition issues and we are trying to deal with them as expeditiously as we can. I am very happy now that we have the co-operation of the Ministry of Housing and Settlements' team. The Parliamentary Secretary and the Minister at that Ministry are assisting us to sort out all these land issues.

**Sen. Mahabir-Wyatt:** Mr. Vice-President, I thank the hon. Parliamentary Secretary for giving way. I wonder, before she finishes, if she can just let this Senate know whether or not the Tobago House of Assembly has the power on its own to acquire lands in Tobago, or if that power remains with the central government.

**Sen. V. Tota-Maharaj:** Mr. Vice-President, I cannot give an answer off-hand to that question. I have been speaking to Dr. Job, the Minister of Tobago Affairs and he has been identifying parts of the Act that speak to that. I would rather not touch that. I am told only the President can acquire lands. I would not like to go into that area which I am not too sure about, especially when it comes to Tobago.

I have been working personally with Sen. Dr. Mc Kenzie and we have been helping some of those persons whose lands were acquired over a number of years. I am speaking about strips of lands—not even a plot of land—and we have been addressing that.

There is no valid excuse to say why the Lands and Surveys Department has not been doing the exercise as quickly as we expected. However, the Lands and Surveys Department has been functioning in inhumane conditions for a number of years. They are finally moving to better working conditions; their staff is being beefed up, so to speak, and we expect more action from that division.

Mr. Vice-President, with this brief intervention, I thank you.

**Sen. Joan Yuille-Williams:** Mr. Vice-President, actually I wanted to ask this question of any Senator on the Government side who stood up.

I came to the Parliament this afternoon not particularly to make a comment on this particular Motion since we have so many other things to do. My intervention

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is because I feel really hurt this afternoon that we are here to debate what we consider something very important in terms of land acquisition. Poor people in some concerns, who had their land and it is to be acquired and we want to support the Motion, but I feel that the Government is—and I do not want to say “using its majority”. I am seeing a trend and a pattern going through in which things are being taken for granted, that because we want to support something, however it is presented we will support it. None of us here is against the acquisition since we know these people will be paid and we want them to be paid but clearly, we need to be informed.

Whenever I get these Order Papers, for example, I got the Order Paper for the next Bill some time over the weekend and even though I did not come here to speak on this, I took time to look at the Order Paper; I took time to telephone Home Construction Limited; I took time to see if I could have contacted some of these people whose names are here; I took time to find out the state of this work, whether the drain is already built, whether the work is continuing and I would like to get an answer—I tried to find out and I got information. I knew drainage improvement was set. I found the time to enquire and that is what we do because we care about the people. We come here prepared and if I could take that time although I was not going to make any comments on the Motion—I am here to speak on behalf of people and to ask pertinent questions. How could a Minister come to the Parliament and just look at the Order Paper, make a few statements and then leave it and say somebody else will tell us; a Minister with the responsibility for this particular portfolio. I am extremely disappointed at what has happened.

I would like to, with whatever information I have, pose these questions to whoever replies for the Government: Is this drain already built? In what year was it built, if it was built? Is it now being built or are they planning to build it in the future? Those are some of the issues I thought the hon. Minister, if he had only looked at the Order Paper, would have addressed. It took me some time to make telephone calls. Even up to this morning I was still making telephone calls to Home Construction Limited. It took a friend to ask of Mr. Ash who had his problems in the early days. These are the kinds of things one would do if one is interested in people. As I said before, we are not coming here—and we always try to be prepared because when we make an intervention, we want it to be a helpful intervention on behalf of the people.

**2.25 p.m.**

**Mr. Humphrey:** Mr. Vice-President, I thank the hon. Senator for giving way. I got the Order Paper at ten minutes to one this afternoon. I did not have time, therefore, to call everybody as the Senator did, so I would ask the Senator to answer her own questions as she has the information.

**Sen. J. Yuille-Williams:** That is not good enough, but I understand where you stand hon. Minister, but you are part of the Government's team. The Leader of the House must have had it put on, because we were told it was going to come up and, therefore, we made preparations. I could understand your position and I sympathize with you, but you belong to a team. I would not like anybody to "set me up" like that and put me on the spot—that I cannot understand. In the shortest possible time that I had, I tried to obtain information. I am not going to answer my own questions, because you said you will ask your hon. Minister of Works and Transport to give the answers.

I am just raising those points, because it is not the first time—and I am here for just a short while—that we have been treated in this manner. I have always said that we want to support this. I want Mr. Mohammed, Mr. Ash, everyone, to get their moneys and I know that this acquisition will help them to be paid. I know it is drainage improvement and we are glad about it, because it means that flooding would probably be prevented. All of that is all right, but if you had only been able to convince us about it when you made your presentation, then we would be happy.

Mr. Vice-President, I am really a little bit upset this afternoon, therefore, I would like whoever replies to give us some more information about these particular parcels of land which have been acquired here today. We are going to support it because we really would like people to be paid, and we hope that we would not be treated like that in future.

This is an important matter, because, just last week, someone came to me—I do not know if to call it squatting or acquisition—there was a situation where the land on which this poor person was living seems to have been acquired by a state enterprise with a well, a road, and a number of other things. I had to say, "You are not living far from there and what happened?" They said that they just saw this happening. A well is already there, the road is already there and something else is already on the parcel of land. It is probably going to come up again for acquisition. This is important to us, because we are speaking on behalf of people. The "Mr. Ash" mentioned there, was very concerned about this whole matter.

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We are going to support the Motion, but do not take us for granted. We read everything, we sit in caucus, we talk, we take time to find out on the phone, we drive up to the area to see where the place is. Therefore, if we can do it, we feel that anybody else can do it. If the Government puts it on the Order Paper, we clearly feel that they need to prepare themselves. Even though I sympathize with the hon. Minister, I cannot allow this to pass without saying how very upset I am. I hope that the Opposition will not be taken for granted because we have come here to do a job on behalf of the citizens of Trinidad and Tobago, we want to do it and we are prepared to do it. As I said before, we are not here because we want to impress anybody with documents when we talk in this Parliament; it is because we have done our research and we have come with the information to back it up.

Thank you very much, Mr. Vice-President.

**Sen. Prof. Kenneth Ramchand:** Mr. Vice-President, this is just a very brief intervention and it really has to do with procedure. I have to support the Opposition and others who have said in their remarks, that if the Government is going to come here and tell us, "We want to do this: we want to acquire land", then it ought to tell us what is the purpose; it ought to provide details justifying a measure which it wants us to accept. I am not trying to make a political point, I am very interested that we should have the right procedure for operating in Parliament. If I had been the Minister and I got this Order Paper at ten minutes to one, I would absolutely refuse to present it.

Mr. Vice-President, that is all I want to say.

**Sen. Muhammad Shabazz:** Mr. Vice-President, this is indeed a concern. When the Minister said he got the Bill at ten minutes to one, I remembered an old calypso by the Mighty Sparrow, "Ten to one is murder". It seems they have sent him here to destroy him; to pull him down. How could they give an hon. Minister, one who is well-intentioned, to bring a Motion here at ten minutes to one, to present it in the manner in which he did?

As a matter of fact, he said that any specific thing would have been cleared up by the Minister of Works and Transport. Why has the Minister of Works and Transport not—I guess I should not question that—given the Senate any information up to this point in time? It seems that they want us to come out with what we have to say, and then they would come out as though they have a big trump card in the hole because they are playing politics. But they ask us on this side not to play any politics; forget the politics. What they want us to get up and



say is, "This is a good Motion. The land should be acquired. We agree with it", and then sit. We cannot take that position.

When we think of the way this Motion has come to the Senate and the Minister making statements without any knowledge, we must look back at other information that the Minister has been giving and wonder whether the hon. Minister had knowledge about the things he has been saying. Is the Minister well informed? Why have they "mashed brakes"? He is the person who said that they have been "mashing brakes" on many things they have been doing. That is why this Order Paper was only brought to him at ten minutes to one. If they had accelerated, this Motion would have got to him earlier, and he would not have had to come here unprepared.

It has been since 1996, because the information that we have is that they are not acquiring land to build a drain. During the period that the People's National Movement was in power, the drain was built because this was an area which flooded—and they are now acquiring the land. Mr. Narine was one of the people who worked on that when he was at the Ministry of Works. Because the People's National Movement is no longer the government—not because we lost, that is not the issue—they have taken the whole matter into their hands from 1995 to 1998; and, at ten minutes to one, after two years: How long has land acquisition been handed over to this Minister? So after all this time, they are now coming here to say that they only got the Order Paper at ten minutes to one. I think that must be recorded as a shame.

I would not even ask the media to report it, because I remember the last time we went to Tobago to acquire some land, some media person probably tried to get into it and there was some confusion. So I do not even want to ask that. I felt that somehow this should be recorded and understood, and the nation should know what is really happening and how things are being done by this present regime.

Mr. Narine was one of the people who ensured that this drain was built. The issue now is that the people have to be paid. I do not know whether they are going to cut a ribbon to open the drain this time. They might probably leave out Mr. Narine, because they have a way, that when they go to one's constituency to do things, especially with this particular Minister, they leave one out. Then they laugh and say, "Well, maybe next time. You might not be in that area, you might be across the street", and things like that. We must take these things into consideration and in context when we are speaking here to make, not only the Senate, but the nation, understand what is really happening.

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We are saying, "Yes, acquire the land". As a matter of fact, I agree wholeheartedly with Sen. Mc Kenzie that from here on—with this caring Government, this Government which says it is about transparency—what should happen is that when they go to acquire people's land, they should pay for it before, if they could do that. I have no disagreement with that. Pay for the land and deal with it.

Let us deal with land issues. I know that the hon. Minister is, indeed, concerned about land. I know this Minister is concerned with ensuring that people have the thing going properly. I understand, because I was around when this Minister dealt with the Sou Sou Lands project, trying to give housing and provide better conditions for the poorer people of this nation. It was really sad and disheartening to know that the whole situation with the Sou Sou Lands did not work out as it should have. I know the Minister is concerned with land. Since he is the Minister of Housing and Settlements, and knew that the People's National Movement was accustomed to building houses, he is now concerned with giving out land and trying to help people obtain land.

As a matter of fact, when we look at what is happening with the housing situation in John John, and other areas, which are being handled by the Minister, we know that he is not giving houses. He really wants to give people land, and he prefers houses to stay where they are and not be occupied. Since he wants to give the people land, we are cool with that. We are saying, "Give them the land and regularize these people's positions". But, how are they going to do it if the information they have—and I do not know if they have other information concerning this—is as limited as what they have brought to this Senate? I honestly wish that the Minister of Works and Transport would tell us exactly what the position is; what has happened with this land; how much land they have acquired; how much money they have agreed to pay the people and all these matters, so that, we could even support them. We need much more information than we have at present.

The point is, we are going to support this Motion, but the proper procedure is for the information to be brought to the Senate before, rather than after, as to the procedures for acquiring this land. I really hope that the Minister would seek to get as much political mileage as he could when he speaks about how they are acquiring this land and how much they are going to pay. I would like to give way to him to bring out his trump card, if he chooses. Acquiring land is an important matter and this land was acquired specifically for the drain to be built in order to stop flooding in that area.

I remember the hon. Minister of Housing and Settlements, even before he was in Government, saying that he had a plan to stop flooding in this country. I do not know, but it seems to me that this Government felt they would have remained in opposition all the days of their lives. Because of that, they made statements, while in opposition, that seem to be coming back to haunt them in a certain kind of way that is very, very sad. It seems as though they are not really dealing with it in the manner in which they should, now that they sit in Government.

Again, I would like it to be recorded that with regard to receiving a Motion at ten minutes to one, to come to this Senate and debate it, I would like to tell the hon. Minister how much I respect him. I always see him as a man with courage and stamina. I hope that he does not change, as other people on that Bench seem to be changing in a certain kind of way. He should not change, but stand firm as he has always done, and hold to his principles. Sen. Ramchand made a good point; you had no right to present this, you should have told them, "Send for Mr. Baksh and let him present it". Do not let them put you in those kinds of situations. It looked like a boyish, puerile kind of position and that, indeed, is not the hon. Minister that I know. He stands for principle. I guess I would have to take another look at the Minister because this is the first time I have seen him come to this House. I feel sad to know that is the manner in which he has presented this Motion—very poor.

**2.40 p.m.**

We are going to accept the Motion with more information and we are talking in a serious manner. Maybe when Senators on the other side get up they may attack us; tell us about how long we were in power; what we did not do. Their style is to say one thing and do something different. We must continually come to this Senate and say that is their style.

Today must be recorded as one of those times. I must really say this again before I sit. An honourable Minister, an honourable person, as our Leader of Business said, indeed, a person known as "honest John", showed that he was honest by getting up. I do not want the Minister to sacrifice—although honesty is a good quality—his manliness. Be strong, stand firm as you are accustomed doing, as you have always been willing to do and have always preached, and do not be brought into situations like that.

With this, I support the Motion and I expect when the hon. Minister gets up, he would give us the information necessary for us to support and not just be political in his presentation. I thank you.

**The Minister of Works and Transport (Sen. The Hon. Sadiq Baksh):** Mr. Vice- President, I too did not come prepared to speak on this Motion. I am amazed, really, that all the previous speakers are not prepared. Forty years later, \$45 million dollars is outstanding for payment of acquisition for lands under the People's National Movement, to poor, ordinary citizens of Trinidad and Tobago, and they talk about care. Care for whom? [*Desk thumping*] Not care for the people of Trinidad and Tobago; not care for the poor. Care for their pockets and care for John O'Halloran. Those were the people.

**Sen. Shabazz:** And Ish.

**Sen. The Hon. S. Baksh:** Mr. Vice-President, I find it almost impossible to hear the Leader of Opposition Business quoting from the Manifesto of 1995. If you read the one from 1956, same thing; the one from 1961, same thing; the one from 1966, same thing; the one from 1971, same thing; the one from 1976, same thing; the one from 1981, same thing; the one from 1986, same thing. You know what? Shame to quote from 1995! What would you say in the year 2000? How would you account to the people of Trinidad and Tobago? How would you account to the ordinary citizens from Tobago? I find that impossible, Mr. Vice-President.

Mr. Vice-President, this Motion is about correcting one of the sins of the PNM: pick up a "vaps", build a drain, acquire nothing as yet—

**Sen. John:** They trespassed on the land.

**Sen. The Hon. S. Baksh:** Mr. Vice-President, really, this is one of a series of other motions that we will have to bring to this Senate in order to correct some of the wrongs that ordinary, poor citizens of Trinidad and Tobago have suffered.

Mr. Vice-President, I cannot prepare for a Motion like this. I am not prepared to come and apologize to citizens who owned land when the Claude Noel Highway was built. I find it difficult. Payments are still outstanding to the people of Tobago. How many years ago? I do not even remember.

Mr. Vice-President, all I can say is, we are in the process of correcting many of the ills and wrongs that have been committed. We are committed, irrespective of the neglect of the past, to improving the quality of life of the ordinary citizens of Trinidad and Tobago as we continue to move our nation forward, irrespective of

the poor history. As the Minister of Works and Transport today, two and a half years later, I cannot tell you that I am proud about the infrastructure in Trinidad and Tobago because it is not true. Yes, I have failed to mention all the ills of the PNM. [*Laughter*]

Mr. Vice-President, our commitment is to bring relief to the ordinary citizens of Trinidad and Tobago. I assure you that this Government would do everything in its power to do so. I thank you very much.

**Sen. Danny Montano:** Mr. Vice-President, I waited because I saw that my colleague was on her legs. Mr. Vice-President, unlike my colleagues earlier who referred to the hon. Minister of Housing and Settlements in terms other than the title hon. Minister, I do not necessarily share the sentiment that the title, hon. Minister, has anything whatever to do with the character of the persons holding any office on that side. With all due respect, Mr. Vice-President, certainly, it is my opinion that some of the holders of offices are discrediting the positions they hold.

Mr. Vice-President, with the matter at hand, I share the sentiments of Sen. Mc Kenzie from Tobago. Notwithstanding the trite comments of the hon. Minister of Works and Transport, I am concerned as to how funds are being spent. We have a schedule here and the hon. Minister of Housing and Settlements rose and read off from whom properties were being acquired. Nobody on that side has made any effort to give any indication how much money is to be paid to these individuals; how the prices were arrived at; whether they are all being paid on the same basis—the same price per square footage; whether or not they have, in fact, readily accepted and agreed to the values here; and more than anything else, especially in view of the comments of the hon. Minister of Works and Transport, when the moneys are going to be paid.

You want to put it right? Well, Mr. Minister, stand and say when you are going to put it right. [*Desk thumping*] The audacity of the Minister of Works and Transport to stand and talk about \$45 million that is owed. What about the \$100 million that was spent at the airport last year, wasted on a few truckloads of earth?

Mr. Vice-President, I will tell you what the problem is here, and I will tell you why we have not had an inkling of how these funds are going to be spent. What motivates the spending of that administration is corrupt intentions. You will find that the projects that have been started have corruption involved. [*Desk thumping*]

**Sen. Cabrera:** Mr. Vice-President, I rise on a point of order. I wish to draw to your attention, that under section 34(5) of the Standing Orders, it says:

“No Senator shall impute improper motives to any Member of either Chamber.”

My view is this is what has been going on for the last few minutes by Sen. Montano.

**Sen. John:** Shame! Shame!

**Mr. Vice-President:** The new Standing Order being referred to, is 35(5). I would ask Sen. Montano to take notice of it. In addition to the last utterances that triggered the point of order, the opening remarks I thought to myself, came very close to infringing this particular Standing Order. Therefore, I would like you to bear in mind the fact that we are supposed to be conducting ourselves, in contributing, in a way that does not—to use the words of the Standing Order—“impute improper motives”. So as you make your contribution, bear that in mind.

**Sen. D. Montano:** I thank the Vice-President for his guidance. I realize I came very close to the line but I do not think that I quite crossed it. [*Laughter*]

Mr. Vice-President, in terms of the corruption and intentions of the Government, I refer to the contracts at the airport. We had a commission of enquiry, we have a report, and it is clear. That is only one example.

**Sen. Shabazz:** Soodhoo and Boodoo.

**Sen. D. Montano:** I was on my way to San Fernando on Sunday morning and the repairs on the road have deteriorated since the last time I went to San Fernando a few weeks ago. We have regression instead of advancement in terms of the contracts. Mr. Vice-President, what is going on? Of course, I am right and everybody in the country knows that I am right because what is going on here is complete corruption and confusion.

I would like somebody to respond. If you want to put right the \$45 million, Mr. Minister, then stand and tell us when you are going to pay this money and how much you are going to pay. That is what I would like to know. I would also like to hear—seeing the \$45 million offends you to such an extent—when you are going to pay. Or are you merely going to talk about it for the next two and a half years, bury it under some bits of useless paper and information and in two and a half years when we are back in Government we would then have to deal with it? [*Desk thumping*] Is that what you are really saying? Mr. Vice-President, I want to see something done here.

In June, I was in Edinburgh 500 in Chaguanas, and I saw the disaster that had befallen the people in that area. I walked with my political leader—

**Hon. Senators:** Which one?

**Sen. D. Montano:** He was recovering from a serious operation.

**Sen. Mohammed:** What did your political leader do? Enjoy the scenery?

**Sen. D. Montano:** He walked in the rain to commiserate with the people of the area; we all did. The Prime Minister on the other hand, was playing golf in Tobago. I do not begrudge him that. I would like to be playing golf as well, but some of us have jobs to do and serious work on behalf of the people. This type of nonsense—level of flooding—should never have occurred. We have flooding in those regions that has never occurred in the history of the country, and the rains were nothing unusual. They were heavy rains but not to say we have never had rains heavy as that. Yes we have, but we have never had flooding like that.

Mr. Vice-President, what happened is that the contract for the clearing of certain drains had been awarded because it was political payback time. End of story. *Punto finale*. It was no question of cleaning up the area and really solving the drainage problem. It is a question of award of contract to pay back a party hack. That is what is taking place here and it is very evident. All one has to do is look at the status of the North/South highway and one would see the type of confusion and nonsense going on.

Mr. Vice-President, they have only two and a half years left. We only have to put up with it for another two and a half years. That is the good thing about this. I thank you very much.

**2.55 p.m.**

**Sen. Mahadeo Jagmohan:** Mr. Vice-President, I am thankful for your affording me an opportunity to say a few brief words on the matter before this honourable Senate.

Firstly, I crave your kind permission and the indulgence of this Senate in recognition of the fact that we had a permanent Senator appointed this afternoon, one who served for four years as a Government Minister and who is now the Deputy political leader for election and party matters of the People's National Movement. We extend a very warm and cordial welcome to her.

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I am also seeing some physical changes: one Minister does not have his mustache today; I wonder what sign that is. I am concerned. I am particularly pleased that obliquely opposite me is the Deputy Prime Minister and my good friend, the Minister of Health, who this country depends on so much. We are in a good position to share their wisdom this afternoon.

We have a very distinguished gentleman acting in the Senate today. He is the moderator of the Presbyterian Church and a very senior clergyman in this country. This Senator can certainly say that his presence has added greater dignity here this afternoon. [*Desk thumping*] On behalf of my political leader, Mr. Patrick Manning—who could not be here—and all of us, I extend a warm and cordial welcome to Sen. Rev. Everson Sieunarine.

Sir, we wish to put on record our discomfort and our being unable to understand why, at the end of each sitting, the Leader of Government Business would announce the Bills to be dealt with at the next sitting then, lo and behold, when we are about two or three days in preparation, documents come to us saying that other Bills would be discussed instead. Is it that he has no credibility in his Government and is not trusted, and whatever decision he makes is thrown by the wayside or overturned? We of the PNM have a problem with that and would like to assist him. Perhaps we can petition the President of the Senate or the Prime Minister to ask that there be good order in the Senate. If we are unable to have good order we will not have good results.

Having said that, I now take a very brief look at the Motion before us. I cannot claim to know the hon. Minister of Housing and Settlements very well. I have been reading about him since he was contributing tremendously to the culture of Trinidad and Tobago through his leadership of carnival bands in his time. I have followed his work since then. As a Minister I found him to be controversial in the NAR regime—that was a perception of mine. I do not know who else would agree with that.

He has brought a good Motion and we support it, but I recall when we were having financial difficulties at one time, he took it upon himself to say that the financial arrangements could be done in a different way, just make dollars available.

**Sen. Cabrera:** Mr. Vice-President, I rise on a point of order. I direct your attention to the fact that Sen. Jagmohan is being irrelevant and is not speaking on the amendment or even the substantive Motion.



**Mr. Vice-President:** I would allow Sen. Jagmohan to continue, but I presume his preliminaries would soon end and he would get into the substantive contribution of the debate. [*Desk thumping*]

**Sen. M. Jagmohan:** Mr. Vice-President, I would be guided by your ruling.

I am a substantive Member of this Parliament appointed according to the Constitution of Trinidad and Tobago. I am not here through any back door means.

I have great doubts about how the mechanism would be put in place to implement the measure that the hon. Minister of Housing and Settlements has presented. I am not bothered with his predicament of receiving the Order Paper at a certain time, that is his domestic arrangement with his people. It is my hope that those lands bordering the periphery of the drain would not be treated as the lands west of the Harmony Hall Bridge along the Bypass in San Fernando where a few years ago, when the said Minister was misunderstood by citizens of Trinidad and Tobago—he made a statement and the people thought he meant that the land belonged to everybody so they could take it. People from all across the country did their own measurements and put their stakes up, thinking they had a right to those lands because of what he said. Most likely he was misunderstood. I doubt that is what he meant.

If my misfortune was the same as others, I would have been in the same predicament. The moment people realized that lands are identified as state property they go there to squat. The fact that this Minister has a very good track record of being interested in people and whether they squat or get lands through the Sou Sou Land system or however, people could misunderstand and just overnight, do certain things. The regularization process would then become more difficult.

I can claim to know about the regularization process, because under another administration, the Land Regularization Tribunal was doing its work and I happened to be a member of that tribunal which was appointed by his Excellency, the then President, on the advice of the then Prime Minister. I know it is a difficult exercise. If the Minister needs my help and expertise in that regard, I am available.

Returning to the matter at hand, drainage is taken into consideration on the basis of developing areas and controlling flooding in certain areas. I do not see my friend, the Minister of Works and Transport, in the Chamber at this time. Many people have been focussing their attention on the results of the flooding of the Caparo River. We cannot put all the blame on the Minister because he was

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pressured by certain other people and his technocrats should get much of the blame. That project was badly handled. They should have started from the bottom side of the sea, but they started on the top, that brought down the alligators which entered smaller tributaries which now has the whole of Chaguanas in fear of alligators multiplying in the housing areas. There is serious trouble across there.

The media have a way of doing their work and I do not criticize them, but they have not published the extent of the damage done. They spoke about areas where the Prime Minister and other persons went, but a primary school less than a 100 feet from the highway was totally flooded out. No one talked about this.

I am told that carpeting residential homes is a very expensive exercise. People who were not totally flooded out but got their carpets wet, have lost a great deal. Persons who spent a great deal of money in improving the environment through landscaping and so forth, have also lost, but nobody talked about that.

There are perhaps thousands of small-scale agriculturists in the area by the drain referred to. Since along that area we are likely to experience difficulty, maybe some kind of arrangement could be put in place so that squatting does not extend in those areas. The drainage improvement in the whole of Trinidad and Tobago should engage the attention of the Government as it did previous governments.

The general public would be pleased that the hon. Minister came here today to introduce a Motion that would expedite a measure to pay people. I regard any talk about who owed then, when and so forth and who did not pay as clouding the issue, not coming to the facts. The present Government owes people millions of dollars. I am one of persons who live in the deep south, like my friend, the hon. Minister of Energy and Energy Industries. We have to traverse on the same highway. The question is not about the incompetence of the Spanish engineers, technicians and technocrats, but the problem is the cash flow. I have stopped on the road to talk and relate to those guys who speak faltering English. Spanish is their language. They say that money is the problem. The Minister of Finance knows that. *[Interruption]*

I am not here to explain anything about any other language, but merely to make a contribution, which is my democratic right within the meaning of the Constitution of Trinidad and Tobago. I am here to speak on a Motion before the Parliament. I reiterate, it is an error of the hon. Prime Minister to say that the flooding was a blessing in disguise. The Ministers of Government who have to do

something about the flooding should do so expeditiously. Forget what the Prime Minister said about enjoying the scenery at the flood. I could tell you about flooding because I am from an area that has been flooding a whole lot for over 100 years. It would take the whole budget of Trinidad and Tobago to stop that. It cannot be done just like that.

I sincerely hope and I am urging, with due respect, my friends of the press, to give the Minister good coverage and not say what they attributed to him recently about his wanting to merge two constituencies in one. That is the prerogative of the Elections and Boundaries Commission. I hope they do not say anything about that and tie up the Minister of Housing and Settlements as they did on the last occasion.

Mr. Vice-President, we support the measure. I allude to what my colleague and distinguished friend, Sen. Montano said, "How this thing eh have no price at all! It eh say nothing about money". What are we approving?

Thank you.

**3.10 p.m.**

**The Minister of Housing and Settlements (Hon. John Humphrey):** Mr. Vice-President, from 1977 to 1981 I was privileged to be a Member of the Upper House and I have longed to return because my experience then indicated to me that the Upper House is a serious debating forum where Members do not filibuster, do not debate irrelevance and where Members seriously set about doing the business of the people of Trinidad and Tobago. But, quite frankly, being here this afternoon reminds me of being in the other place. I do not want to get an explanation for that, but I really cannot respond to some of the queries raised by hon. Members. Others, however, I would be very delighted to respond to.

I want to thank Sen. Shabazz for admitting that the drain was built under the previous regime and that no compensation was given to the land owners when that regime moved in on private land, forcefully acquired it and built the drain and gave no compensation to the owners. I thank him for admitting it was, in fact, built then.

When I pointed out, in presenting this Motion, that the Director of Surveys signed the survey plan on March 26, 1996, what I could not say is how many years it took to bring it to the point where the Director of Surveys could sign the survey plan. All those years were spent under the previous PNM regime. Again, we are

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trying to remedy a fault that we inherited. The \$45 million debt that we inherited for previous acquisitions is being taken very lightly by the Members of the Opposition in the Senate. When one is in government and there are no funds to enable the financing of capital projects, \$45 million seems like an awful lot of money. *[Interruption]* I consider that to be relevant. However, I want to give credit to the Minister of Agriculture, Land and Marine Resources and all my Cabinet colleagues. You will remember that very early in the stewardship of this Government the hon. Minister brought a Note to Cabinet to seek to remedy these outstanding acquisitions. Unfortunately we did not have the funds to enable the repayment of the long outstanding debt going back as far as 20 years in some cases. However, the Minister of Finance on that occasion assured us that within three years we would have sufficient funds voted to be able to write-off the backlog and in that regard \$15 million has been allocated to settle the backlog. We are trying to remedy the faults of the past.

Senator Mc Kenzie praised Senator Tota-Maharaj and I want to praise her for doing that. I think when Members who are not sitting on the same side can find time to give credit where it is due, that shows a level of civilization and I want to honour and acknowledge that. *[Desk thumping]*

Tobago is a difficult case because in Tobago the land registry, for example, is in a state of chaos and it has been for many decades. Nothing had been done to remedy that problem so even though people know they own the land, they cannot find the paper that proves they own it. They do not have deeds and the documentation is not adequate to enable the establishing of ownership in Tobago in many cases. That is very unfortunate and something has to be done about it.

A question was asked as to whether the Tobago House of Assembly has the legal authority to acquire land. They do not. It is only the President who has the authority to forcefully acquire people's land and the role of the Director of Surveys in that regard is in his function as subintendant because the President, under our system, is the intendant of state lands. The Director of Surveys, under the law, acts on behalf of the President in these matters. That division is in a state of absolute chaos and we are trying to deal with it.

Sen. Nafeesa Mohammed, who was the first to contribute on that side, raised the question of flooding and honed in on the Caparo River Basin Project. I have knowledge of that project and studies were done 15 years ago for the Caparo River Basin Project. Studies were done 25 or 30 years ago for the Caroni River

Basin Project and it is only under this Government that any action is being taken on these major projects to be able to alleviate flooding in the long term. The Caparo River Basin Project is being developed in two phases. It is unfortunate that the funds were not available to do both phases at the same time. The phase that is now being developed is the outfall, that is the widening and straightening of the outfall, the main drain.

The second phase that is even more important, in my view, is the phase of establishing the retention ponds. I believe there are eight such ponds to be developed. The Caparo basin is a very large catchment and plans are now being developed for establishing those. When water is held at source, then quite obviously, you do not get the volume to deal with in the drainage capacity; that is crucial.

It was fully 25 years ago I met with all the senior engineers in the Drainage Division and suggested to them that if they wanted to solve flooding they must do it with an engineering solution and control the water where it falls and do not allow it to run off to the low contours of the country to create flooding. In doing that you win so many benefits. If one can control the water at source, of course, no flooding but there will be water for irrigation purposes, there will be water collected during the rainy season to carry through to the dry season. There will be bodies of water that are permanent charges of the subterranean aquifers. Bodies of water are there, some of it will go into the subsoil and charge the aquifers. Therefore, there will be filtered water that one can win for domestic use.

Bodies of water everywhere in the world give very beautiful lakes for the visual and recreational enjoyment of people. There are all these benefits that can come from that approach. They can be stocked with fish so that people can go and catch the fish which they can cook and eat so you get food as a result of it. But what you get is planned and orderly development. It is only under this Government that we are beginning to see signs of proper physical planning and the establishing of the institution that is required to enable proper physical planning.

Very soon I will be coming to this Senate to present a very important piece of legislation dealing with this whole question of physical planning. I am very sorry,

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Mr. Vice-President, that I was not prepared. I can do no more than admit I was not prepared but I have to also recognize that nobody else who spoke on this matter was prepared either.

**Sen. Yuille-Williams:** Mr. Vice-President I did not rise to speak on the last point of the hon. Minister but we were well prepared.

There is one thing I wanted to ask the hon. Minister or to remind him, in terms of compensation. I remember in 1994 the PNM administration passed a law in which we said we would compensate these land owners at the current market value and I am wondering if that is the same procedure being followed now.

**Hon. J. Humphrey:** Mr. Vice-President, whatever law is in place governments have to abide by the law as all citizens are expected to. So the answer to that question is, yes. However, if one does not have the money one cannot meet one's debt obligations.

Mr. Vice-President, a lot of noise was made about projects that have no bearing whatsoever on this Motion: Elections and Boundaries Commission, airports project and so forth. Therefore, I do not think it is necessary to respond to those matters.

Sen. Prof. Kenneth Ramchand did remark that he is not satisfied with the procedure of bringing a matter and I agree with that. However, when I am called upon by the Leader of Government Business in the Senate to appear in the Senate, the discipline of the organization to which I belong requires that I answer the call and I humbly obey the directive of the Leader of Government Business in the Senate on this side which I always do and I want to give that assurance to the Leader. [*Desk thumping*] But I will try my best, on the next occasion, to be better prepared so that I can assist Senators.

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

*Question put and agreed to.*

*Resolved,* That this House approve the decision of the President to acquire the land described in the Appendix for the public purpose specified.

## APPENDIX

DESCRIPTION OF LAND	PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED
<p>1. The following parcels of land containing together 2477.9m<sup>2</sup> more or less, situate opposite light pole No. 454, on the Eastern Main Road, Arouca, in the ward of Tacarigua in the county of St. George and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated March 26, 1996 and filed in his office are required for a public purpose: Drainage Improvement.</p> <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>Six parcels of land containing together 2477.9m<sup>2</sup> more or less, situate opposite light pole No. 454 on the Eastern Main Road, Arouca in the ward of Tacarigua in the country of St. George and comprising as follows:</p> <ul style="list-style-type: none"> <li>(a) 5.3m<sup>2</sup> more or less said to belong now or formerly to Bachu;</li> <li>(b) 16.4m<sup>2</sup> more or less said to belong now or formerly to Bachu;</li> <li>(c) 1.6m<sup>2</sup> more or less said to belong now or formerly to Shek Mohammed;</li> <li>(d) 428.9m<sup>2</sup> more or less said to belong now or formerly to W. Ash;</li> <li>(e) 1422.3m<sup>2</sup> more or less said to belong now or formerly to Gerald Richardson; and</li> <li>(f) 603.4m<sup>2</sup> more or less said to belong now or formerly to Home Construction Limited.</li> </ul> <p>These parcels are more particularly shown coloured raw sienna on a Survey Plan filed as J.B. 135 in the Vault of the Lands and Surveys Department, Red House, Port of Spain.</p>	<p>Drainage Improvement</p>

**FOOD AND DRUGS (AMDT.) BILL**

**The Minister of Health (Dr. The Hon. Hamza Rafeeq):** Mr. Vice-President, I beg to move,

That a Bill to amend the Food and Drugs Act. Chap. 30:01 be now read a second time.

Mr. Vice-President, I want to assure you and Members of this House that there is nothing underhand about bringing this Bill this afternoon; there is nothing political about it and I have no trump cards.

I apologize to Members of this House for bringing this measure in an *ad hoc* manner but there is an urgency about this. This matter was decided in the other place on Friday and we have brought it here today because, as I said, there is a matter of urgency to which I will refer in due course.

The main purpose of this Bill is to provide for the Minister of Health to be able to make regulations relating to the export of food, drugs, cosmetics and other devices and in this particular instance, the export of fish and fishery products. The European Union earlier this month notified the Government of Trinidad and Tobago that we should put in place certain measures which it considers necessary for the import of fish to its member states. One such requirement is that the specific regulations relating to the export of fish and fishery products should be enacted. In fact, in the communication they stated to us that:

“...the ‘*Food and Drugs Act*’ gives us only a very general idea for food additives and for labelling of foodstuffs under Trinidad and Tobago law, but not does adequately cover either fishery products or export related issues.”

Mr. Vice-President, the Government of Trinidad and Tobago responded to the European Union and undertook to have in place comprehensive regulations specific to the export of fish and fishery products.

**3.25 p.m.**

The existing Food and Drugs Act, Chap. 30:01, section 25 provides for the Minister of Health to make regulations for giving effect to the provisions of the said Act. However, I was advised that the Act does not specifically mention or deal with the issue of regulations for export and since it is now necessary to make regulations relating to the export of fish, it has become necessary to amend the legislation to give the Minister the required power.



Mr. Vice-President, I cannot over-emphasize the importance of exporting fish to the European Union. Our inability to export these products into the European Union market will result in a severe set-back to the seafood industry in Trinidad and Tobago, especially when one considers that over the last few years seafood exports to the European Union have been steadily increasing. Moreover, if we lose our foothold in the European Union market it will take some time before we can re-enter.

The Bill before us is a simple one with six clauses. Clause 3 of the Bill seeks to include in the definition section the word “exporter”. Clause 4 of the Bill seeks to amend the Act by inserting after section 8 a new section 8A which will read:

“The offences created by sections 5 to 8 shall apply to food processed or prepared or to be processed or prepared for export.”

In the parent Act, section 5 says:

“Any person who sells an article of food which—

- (a) has in or upon it any poisonous or harmful substance;
- (b) is unfit for human consumption;
- (c) consists in whole or in part of any filthy, putrid, disgusting, rotten, decomposed or diseased animal or vegetable substance;
- (d) is adulterated; or
- (e) was manufactured, prepared, preserved, packaged or stored or transported under unsanitary conditions, is guilty of an offence.”

Section 6 states:

- “(1) Any person who labels, packages, treats, processes, sells or advertises any food in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its character, value, quantity, composition, merit or safety is guilty of an offence.
- (2) Any article of food that is not labelled or packaged as required by the Regulations, or is labelled or packaged contrary to the Regulations shall be deemed to be labelled or packaged contrary to subsection (1).
7. Where a standard has been prescribed for a food, any person who labels, packages, sells or advertises any article in such a manner that it is likely to be mistaken for the food, is, unless the article complies with the prescribed standard, guilty of an offence.

8. Any person who manufactures, prepares, preserves, packages or stores for sale any food under unsanitary conditions is guilty of an offence.”

Accordingly, Mr. Vice-President, the new amendment seeks to ensure that food prepared or packaged for export meets the required standard and that any exporter who is in breach of these requirements is guilty of an offence.

Clause 5 of the Bill seeks to amend section 22 of the Act by inserting in the marginal note the words “and exportations”; also inserting in section 22(1) after the words “Trinidad and Tobago” the words “or any documents relating to the export of food, drugs or cosmetics”.

Accordingly, authorized inspectors shall have the right to examine any customs entries of food, drugs or cosmetics exported out of Trinidad and Tobago and such inspectors shall be empowered to take samples thereof and to submit the said samples to an analyst for analysis or examination.

Mr. Vice-President, in an effort to ensure public health safety clause 5 seeks to amend section 22(2) by inserting the words “or exporter” after the word “importer”. Accordingly, section 22(2) shall read as follows:

“In any case where samples are taken such food, drug or cosmetic shall not be delivered to the importer or exporter until the analyst has reported upon the samples taken.”

Mr. Vice-President, clause 6 of the Bill seeks to amend section 25(1) of the Act by amending paragraph (d) to include the word “exportation” and by inserting a paragraph following the present (d) which would read as follows:

“(dd) providing for the issue of licences for the importation or exportation of food, drugs, cosmetics or devices.”

Accordingly, the Minister of Health shall be empowered to make regulations as regards the importation and exportation of food, drugs, cosmetics and devices.

Mr. Vice-President, under the present circumstances the regulations referred to relate specifically to the export of fish and I am pleased to inform Senators that these regulations have already been drafted and they will deal with matters such as notification of import, marketing of imported fish, licence requirement for exporters and importers, recall orders, offshore inspection arrangements, inspection and reinspection requirements, marketing of canned fish, packaging,

detention, requirements for storing frozen fish and most importantly, the regulations set out detailed requirements in respect of quality management programmes.

I did indicate that there is a matter of urgency concerning this matter in that the European Union will be deliberating on this matter later this week. As I said, the regulations have already been drafted, this matter has already been dealt with in the other place and I am asking for the support of Senators.

Thank you very much, Mr. Vice-President.

I beg to move.

*Question proposed.*

**Sen. Joan Yuille-Williams:** Mr. Vice-President, I noted in the hon. Minister's opening remarks the problem with this Bill in the Lower House. In fact, I noted what happened last Friday, that the Opposition did not participate in the debate. I think it was the manner in which the Bill got to them and the short notice. I also noted that the hon. Minister was quite humble in his presentation this afternoon in his asking for the support of Senators for this particular Bill, which I am sure he will get.

However, Mr. Vice-President, unlike what the last Minister might have said in the previous debate, we always take time to find information that we consider worthwhile to add to anything that comes before this Senate. Even though we got this Bill late—as I said it was passed last Friday and we got it late this weekend and we were very busy with a successful conference even though some of our people could not get to us because of diversions, which I do not wish to speak about at this time, and had to return. But yes, we survived.

However, we still found the opportunity to look at the Food and Drugs Act and I would now take this opportunity to make a few comments on it which I hope will be of benefit to the Government as we proceed with the amendment. As I said before, we have no problem with supporting this particular amendment.

Mr. Vice-President, I think the parent Act was in 1965—if I am not mistaken—and as the hon. Minister himself said, it dealt mainly with imports and through the years we have built up our industries here and it is necessary at this time to obtain licence for export. I understand from my brief research that we were previously giving certificates to indicate that we were exporting certain products. However, I understand the European Union wanted licences from our

manufacturers—if I am not mistaken—which will also mean that we are supposed to provide regulations and that is what the hon. Minister is asking us to include in the law so that these exporters could be licensed. He also said that the regulations are here.

This is for fishing—and I do not want to go into a long discourse about that—but I also feel that we need to look at the Act again because there will be other areas which will soon come up and we do not want to have to rush it through as we did the last time when some people did not participate. We know now what is expected of us as we export our products, not only to the European Union, but wherever it is. We know now that we need to have those things recorded in the legislation and we need to have regulations made. I am hoping that the hon. Minister would bring to Parliament any other areas that he feels may be necessary. For example, when I looked at some of the things that were in the parent Act, such as cosmetics, I think that industry is one that has grown over the years and there are no regulations. Therefore, I am suggesting to the hon. Minister that some in-depth review be done of this legislation in terms of the products and devices that are mentioned here.

**3.35 p.m.**

I also noted that there was some duplication between food and drugs, the standards bureau and some of the other agencies in the law. I think that also could be looked at to clarify things. If one carefully goes through the Public Health Act, Bureau of Standards Act and Food and Drugs Act, there is some duplication. I think we need to streamline these pieces of legislation.

Mr. Vice-President, we have now opened our ports in recent years and we have free trade, as one would say. Our barriers have now been broken down and we are not only looking at imports, but also exports. I did not hear the hon. Minister mention one thing. I am sure he tried to get through as fast as possible, that is why he did not. I noticed that you just added exports into the law, and exportation where it was necessary. That brings to my mind additional administrative structure. It is not as easy as just putting exports and imports. It takes much more than that to make this thing work successfully. Therefore, I hope the Minister is not looking at the mere fact that the name is in the legislation and we end it there.

In my brief research, I noted that in Trinidad and Tobago—and I am subject to correction from the hon. Minister—there were eight food and drug inspectors for

the entire country. One would understand that there were eight food and drug inspectors then, and now that you have opened up and are putting export into this legislation to do the same things that were being done with imports, there must be a need to increase the number of food and drugs inspectors.

I looked briefly at what happened in Trinidad and Tobago and I looked at what happened at the Piarco airport. It is an 8.00—4.00 port which means there is one inspector there from 8.00 in the morning to 4.00 in the afternoon. As far as I am concerned, the airport operates 24 hours and there would certainly be need for some shift system so that we can always have an inspector there. I understand at the moment the Customs Department tries to assist, but clearly, this is not going to be good enough for us. I need not tell you what could be brought in and how things slip into this country. We need to have almost six inspectors there, 24 hours on a shift basis, to have the airport covered.

I understand there are no permanent inspectors in Tobago. One inspector would go to Tobago for three days a month. Tobago is an international port now. We have Caledonian flights coming and leaving Tobago at all times. Therefore, it is most unsatisfactory to have one inspector going up and spending three days in Tobago to do the work this Bill says it should. In fact, I understand if there is an emergency or an outbreak and antibiotics is landed, the inspector has to be flown over to Tobago. In terms of what is happening now and how we need to guard our ports, Tobago is very open and we need to have an increase in the number of inspectors. In fact, Tobago should have its own permanent food and drugs inspectors at all times, and not someone from Trinidad going to Tobago for three days per month.

I also looked at what is happening at the container examination stations in Point Lisas and Port of Spain. We have the same problem of just one inspector. This is what is going on when the law catered for only importation. Now, with so many exports—I understand they are already short-staffed—it is going to be 10 times worse. So we need to have more permanent inspectors in those areas. The same thing happens at the Customs Houses in Port of Spain and San Fernando. I visited San Fernando Customs House and was told that one inspector comes there every Tuesday and Thursday. He spends a few hours in which he would go through whatever papers in the long room come to him. I think a similar thing happens in Port of Spain. When this one man leaves there, he goes to the post office to do his inspection, then on to the hospital. So we have the problem in Port of Spain, San Fernando, Tobago and Point Lisas.

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In other words, I am saying that we need inspectors as a matter of urgency. I understand quite honestly, that there are people out there with basic qualifications because at one time I enquired whether or not we needed to put in place a system to give scholarships to get people. I also understand that we have a number of people out there with the basic qualifications and training for food and drugs inspectors is done in-house. Therefore, I consider it absolutely necessary at this time, if we are moving in this direction we have to recognize the fact that we do not have sufficient personnel to do this work. I asked someone what happens and they said, "We leave a lot to the integrity of the importer, the clerks, the public, the customs officer. We depend upon them to help us because we do not have the staff."

Sometimes if it is new cargo coming in for the first time, there would be samples. When it is somebody you could rely upon, you just have to give them the permission to bring that in. We all know what integrity is now, especially in these times where there are so many illegal substances coming into the country and probably leaving. We just cannot leave everything to the integrity of these persons. Of course, we have to base things on people's integrity. When they said integrity they meant that we are so short-staffed, we could not do it all; somebody has to help. Therefore, I think even now part of the training of young customs officers, is how they can help their country. I think, as a matter of urgency, we need to have enough personnel. Sometimes with 200 importations a day, clearly, the present personnel cannot suffice.

Additionally, these eight persons are also responsible for the 200-plus pharmacies in Trinidad and Tobago. They also inspect the manufacturing plants, especially the processing plants—and I heard we have about 1,000 or more—as well as being responsible for inspecting labels and dates in supermarkets. So it is really a random thing these eight honourable people—I will say at this point in time—can do. How much can eight people do with this type of work? Now that we are progressing and our economy is growing—importing and exporting more—we have got to pay attention to it because we are leaving our country wide open. I do not want to add anything about illegal substances or not, because I am not versed in how things happen but clearly, one can see that things do happen. Things can come through quite easily because of the shortages and they are unprotected both at the sea ports and at the airports. So I hope the hon. Minister would look at that quite closely.

There is another area which I hope the hon. Minister would look at. One of the things I understand, especially now with exports and imports, but moreso imports, is that sometimes because of this credit facility—and you could probably help me there—and in order to facilitate trade, sometimes the originals do not come and the documents are faxed into the country. These same documents which are faxed are the documents taken to the food and drugs inspectors concerning the cargo that comes in. I have been reliably told by someone—I have not seen that myself—that the fax copy is easy to doctor and change. I understand it could be copied and changes can be made as to the content of the containers that come in. Therefore, when we think that one thing is on the cargo, it can be changed. If there are banned drugs or so coming in, changes could be made on those documents and they could be stamped by the food and drugs inspectors who would have looked at those as the reliable documents for that particular shipment.

Therefore, as I was saying, as we go through this amendment, we do not want to call it simple. We know why there is need to have this amendment and I know why there is need to have it in a hurry because we were just given some dates. At the same time, we have to look at the whole question of food and drugs very seriously now, because we are having problems with the imports. We already have problems and now that we are licensing people and we have exports I am saying quite clearly, we need to improve on the system. It is a Canadian system and those who work there feel it has been extremely successful so far. I think the shortage of manpower has been posing a problem, and now this has made it worse. In fact, I think we need 20 or 30 more persons involved at the time. I know it is going to be costly, but we have to look at the price we have to pay against illegal drugs and so forth, that can come through.

I also understand that there may be drugs that may have expired. We have a population who really are not careful about certain things and have been purchasing expired drugs off the shelf. We have some unscrupulous persons and that can happen. That is why we have persons who make random visits to the pharmacies, *et cetera*. So much of it has gone away and, again, it is left to the integrity of the owners of the pharmacies to look at. We are now going to a stage of over-the-counter drugs, therefore, all these developments tell us that a system must be put in place with which we can cope. I am saying that at the present time, eight persons is a far cry from what is needed. When we first started on the issue of food and drugs, we were a nation of importers but we have now come to the stage where we are exporting.

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Yes, we would support this amendment but we are hoping that very shortly the hon. Minister would come to Parliament again, bringing substantial revisions to the parent Act. Regulations would also have to be made. I think we should be proud to know we have to make them because it means that we have developed as manufacturers. There is no point in saying—and I know people are saying—why so and so did not make it at that time. We are developing and that is what good government is all about. As you move, you make the necessary changes to suit. We have moved to a stage where we are exporting to countries which no longer want to take the export certificates; they want to have licences and, therefore, we have to recognize that. The licence means we have to change the law; we have to make the appropriate regulations to go with it. In fact, it will encourage more people to get into the export business, knowing now that the goods we produce are recognized abroad.

I have no problems asking us to make regulations because we could damage the whole manufacturing industry if we allow things to slip out which are not up to standard. Then we would hear it recorded all over the world about the type of things Trinidad and Tobago ships and all the other exports we may wish to go into could suffer as a result. The European Union has asked for this to help us to see that we need to put our house in order, and not wait until we have other requests from other countries.

Mr. Vice-President, these are the comments I would like to make. We would support it. In the same spirit in which the hon. Minister brought the Bill, the comments made are really for the development of not only the import and export industry in Trinidad and Tobago, but also for the protection of our people.

There is one other area of which I should have made mention. Somebody spoke to me about items that came in and people got sick sometime last year. I was talking to a food and drugs inspector and he guided me appropriately. He said that sometimes you get the goods in a condition in which, after the random sample is done, it was approved by a chemist, but sometimes it goes to places like the supermarkets and the level of storage facilities is much below the standard design. Therefore, things spoil there. As a result we hear it said that things are not coming in the state in which they are supposed to. I think we need to look at that very closely because a number of people in our country can suffer because of the poor storage facilities which exist.



Also, I want the Minister to look at how to dispose of a shipment when it comes in. That could be a problem. I am not telling tales but I asked the question, how do people destroy a shipment? I hear some countries are so advanced that they have buildings and so forth, where you could burn the goods. We probably do not have that. I understand sometimes we bury substances, but before we are finished burying them they find their way back into the system.

**3.50 p.m.**

We need to look at that very closely because these are some of the things I see happening, where one tries to dispose of a shipment—let us not say who takes it out—and it is crushed at the top and the bottom part is taken away and put back into the system. Those are some of the areas we need to look at. That is very serious because we are concerned about the health and wellness of our country and the people.

This Food and Drugs (Amdt.) Bill gives us an opportunity to really revisit the entire Act, because from 1965 to present, this country has moved a long way. In fact, I understand that sometimes some of the products do not come from countries that are banned or anything like that, but because of outbreaks of certain diseases in some countries, we have to look closer at products coming from those countries. Therefore, even the staff, the micro-biologists and so forth are overworked, but we cannot slip up. With eight persons and the facilities we have and no national outbreaks, I think we have been blessed, but we cannot carry that too far.

May I also make a plea at this time, as we are trying to improve standards in this Bill, we need to look at the areas where we have persons going to the Food and Drugs Inspectorate or the areas where we have our laboratories. These places should make one feel that one has moved into a laboratory. We have been using old facilities and now that we have changed the whole face of it, more up-to-date equipment would be going into the laboratories. We could do no less, because we are now exporting.

When I look at the Bill, I see the words “exports” and “exportations” included in certain places, which means the same treatment that one wants to give to the imported goods is the same thing one wants to see happen with the exported ones, and when these imported goods come in, samples are taken which have to go to these laboratories. With exported goods, random samples would have to be taken to the laboratories. Therefore, we have to look at the kind of laboratories we

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have. Some of the equipment which is outdated need to be changed, because they are going to be hard-pressed and would break down. So with the best interest that we have with ensuring that we export things that would give us a plus, that could be jeopardized by the fact that we do not have the equipment to do proper testing. We have to look at that very closely.

At the same time, Mr. Vice-President, while we are on food and drugs, let us remember that we need to—I do not know if the public health inspectors come under the Minister—look at that area, because we are still seeing and we are getting away from the point—when I asked about the public health inspectors, it was said that they are not food and drugs inspectors, they are public health inspectors. When I looked at the duties of the public health inspectors, I recognized that they have to check the food badges on those people.

I also noted, as we went around, that some persons who have had these badges, the way they sell food and so forth in this country, are far below some of the standards and we need to take a look at that. Yes, we are looking at what comes in; yes, we are looking at what is exported, but on the local scene we need to pay a little more attention. If we are not careful, we could have an epidemic within the country. So many times we hear of children or adults who get sick and are not sure of the cause. As I said before, we are a very blessed nation, we do not want an outbreak in this country.

The hon. Minister has his hands full. As we touch food and drugs we are talking about the health of the nation, so we would support this. I must also compliment him for bringing the regulations. He could do no less than have the regulations; if it is this week he needs to have the whole packet together. I hope that with the same haste with which he moved to change this law, which we are going to support, he would move to the other areas of food and drugs because they are very important.

All that we could do in other areas of the economy would be brought to nought if we do not give this attention. I think food and drug is one of the most critical areas in the Ministry of Health. When I spoke about food and drugs one young person asked me: “What drugs are you talking about?” He thought it was another drug. Then I said: this involves import and export, if one really wants to look at it, because in those containers that come, some of the goods have to be sampled and others might just have to be stamped “Approved” because one must

trust the integrity of people. But it could be the import of the drugs about which he was talking, the narcotics.

Similarly, where we are positioned as a transshipment port, the same could happen with respect to narcotics as we go into exports. We will have to look at it because of the licence that people would get to import—again, if we only depend on integrity, when we think the containers are going out with what we thought should be in there, they could be going out with other stuff. Therefore we have to put the whole thing together.

Mr. Vice-President, I am asking the hon. Minister to look at some of the issues we have raised. Although some people feel that we are not serious about our business, we are very serious when we come to this Parliament. [*Desk thumping*] We always find time to look at our stuff and we come well prepared to contribute to the issue. If sometimes we seem to be a little hard, we feel it necessary in the spirit of good governance because we are trying our best to serve the people of Trinidad and Tobago.

Thank you very much, Mr. Vice-President.

**Sen. Prof. Julian Kenny:** Mr. Vice-President, I have no difficulty in supporting amendments to legislation of this kind but I would like to make a comment on a matter of policy as this is all about exporting fish and then I would like to ask a question, or perhaps two.

We, as a nation, exercise sovereignty over the resources of about 70,000 square kilometres of sea and we have responsibilities, internationally, for the conservation of these resources. To me, there is a major issue here of the national policy with regard to how we exploit our fish resources. I raise this because we know, from the work done by the Institute of Marine Affairs and the research branches of the Fisheries Division, that there is a serious depletion—an over-fishing problem. This over-fishing problem is because we have what is called an “open access fishery”, that is, by and large, anybody could go anywhere, at any time, and extract as much as they could catch. This has led to the problem of the depletion of, especially, the ground resources—fish and certain other species.

This is one of the things that really ought to concern us. It is ironic, because the world wants certain things: red fish, shrimp, sword fish, tuna and certain other things. I can assure you, Mr. Vice-President, that citizens of this country do have a problem in acquiring fish and shrimp because the export trade is developed. I wonder whether the Government should not be thinking in terms of what is its policy regarding our fisheries resources.

I am surprised that Sen. Tota-Maharaj is not speaking on this Bill. I think the fishing industry is one of her big concerns.

**4.00 p.m.**

The second thing about our fishing industry is that we have all these resources and we do not have the wherewithal to protect them. If the Barbadians want to go into our exclusive economic zone, they just do it. In fact, occasionally they are caught when they enter territorial waters in Tobago. We know that the Venezuelans routinely fish along the East Coast. We are totally unable to control the exploitation of these things and now we are going to make it easier for people to export to the European Union.

There is also another concern—purely a health concern—that we do not eat a substantial proportion of protein in the form of fish. In fact, we have a comparatively low per capita consumption. I would have thought that the broad policy of the Government, not just simply in health but in agriculture, would have been towards managing the exploitation of our resources, retaining much of it, or making sure that much of it enters the local market.

I have great difficulty obtaining fresh fish and flying fish from Tobago. The shrimp that we now buy is not the nice jumbo shrimp, but a mass of little, white wormish things. The problem is that we really ought to look at policy. This is really a little message to the Government. Should we not rethink this? I am not opposed to the legislation.

When one catches a sword fish, it weighs 300—500 pounds. When one catches a tuna, it is 100—150 pounds, but we do not buy fish of that kind. Sword fish is the premium fish and we make our foreign exchange on the European Market. I suggest that the Government ought to think of its policy regarding our fish resources, taking into account the desire to have people eat more fish and less red meat and chicken laced with chemicals.

I have only been three years in this Senate and it is very heavy going for me when I read the law. I felt very proud of myself last week when I talked about a consent order. I finally understood what it was. However, this is all about fish and sometimes things which are not fish are fish according to the law. An example is turtle and reptiles. We want to be assured by the Minister that when we are making regulations for fish, the fish excludes animals like turtles, but includes a range of other things that the Europeans might consider fish. For example, it is very easy to

think of shrimp and oyster as shell fish. A person might develop an European market if someone wants a taste for sea eggs, which live in Tobago. I ask that the Minister clarify exactly what the regulations mean when the word “fish” is referred to.

I thank you.

**Sen. Cynthia Alfred:** Mr. Vice-President, the hon. Minister of Health gave his presentation and I must say, when I looked at the parent Act, all 172 pages of it, it would be instructive to have a review of the Act because it is very substantial and very important to the lives of the people of Trinidad and Tobago.

The Minister has seen fit to bring this amendment and, indeed, I had to smile when he very quickly went through the regulations. As my colleague said: I do not think he had an option but to bring the regulations so that we would have something to get our teeth into. We support the Bill, but I would like to mention one or two areas that perhaps the Minister could look at.

When I asked certain questions, I was told that many drugs that we import—I am talking about prescribed drugs—are out-dated. I would like the Minister to have a look at this allegation. I have been told that drugs for certain things like high blood pressure have been banned in certain places. I am only selling it as I bought it. In a case like this, I thought this would be a good time to make mention of it so that an investigation can be made. I am not accusing anyone of corruption or anything else, but I think we need to be more careful.

That brings into focus this whole matter of the paucity of inspectors. I tend to agree that we need more so that the work can be carried out satisfactorily. When I look at section 22, which is to be amended, it speaks about the inspector inspecting the goods as they come in. I remembered the whole question of the rice. I am not knocking something that is past or beating a dead horse, but perhaps the whole fiasco might have been because the one person might have had so many other areas to see to that there was a rush. Consequently, there was this mix-up and confusion. We definitely need more inspectors and it is only fair that Tobago should have an inspector of its own so that the business there would be conducted more effectively.

Let me mention also the question of illegal substances. We know that many illicit drugs come into the country. In this case, Tobago is no exception. We understand that sometimes Tobago is used as a port where drugs are actually

exported. We understand there is more vigilance on the part of the national security—I understand that they are working hard to have this problem solved, but there are still many areas where there could be a considerable amount of vigilance and tightening up as in the area of the illegal movement of drugs from one place to another. If we do not have the personnel, then it cannot be done effectively.

Another area of which someone spoke to me is the area of meat: beef in particular. I was told that certain meats are dyed to be sold in certain countries because they look better. Some of this dyed meat is sold in this country. Now, the person expressed grave concern because it is yet to be proven that dyed meats are not harmful to consumers. Perhaps, that is another area the Minister of Health can investigate.

**4.10 p.m.**

We know that in Trinidad and Tobago there are very high standards and high quality in respect of certain products that we hope to export. We have had Expo shows in the past where nationals of this country as well as other Caricom countries bring their goods into Trinidad and Tobago, and later on in this year, there is going to be another Expo of local goods as well as goods from Caricom and other countries. I do know that metropolitan countries are interested in many of the things that Trinidad and Tobago produces but, of course, they are very much concerned about the standards.

Trinidad and Tobago has been congratulated at the last Expo on the high quality work which it produces. We know that Trinidad and Tobago can produce high quality goods. I am not talking about the oil and so forth; we know that is of a high standard, but things like the cottage and related industries. We would, of course, encourage the Ministry of Health to put the systems in place so that when, in fact, we do export we are given the green light. In other words, it would certainly jeopardize the integrity of the producers in this country if when we send our goods out they do not come up to the required standards. I just said that we were commended on our high standards but it cannot be left there. We have to ensure that everything that leaves Trinidad and Tobago is of the required international standards. With this Expo coming up very shortly, again the producers in this country will have the opportunity to showcase what Trinidad and Tobago can do.

I would just like to reiterate that there should be at least one inspector for Tobago, greater surveillance and control over the substances that leave Trinidad

and Tobago, and to remind the Minister that the question of outdated drugs, and especially of dyed meats be investigated so that when we do import things into this country, we are sure—because it is a two-way street. Not only must we provide proper goods to go out of Trinidad and Tobago but we must also ensure that whatever comes in here is good for public consumption.

Mr. Vice-President, I thank you for the opportunity.

**Sen. Prof. Kenneth Ramchand:** Mr. Vice-President, I will begin by saying it is a good thing to bring exportation into the Food and Drugs (Amdt.) Bill and, therefore, I welcome that move because this can well lead to follow-ups in different directions, offering help to exporters, getting a register of exporters for the benefit of the income tax, creating standards and maintaining the good name of the country.

It is good to bring exportation into the Act because it will bring a measure of control over what is being exported and certainly, I am not happy to see certain items related to cosmetics being exported as raw material to other countries to be refined into cosmetics that we have to purchase. I am not happy to see certain items relating to, for example, male afflictions or addictions going out as raw material and then coming back to be sold here. There is a lot of stuff that is being exported as it were, by fly-by-night exporters which really ought to remain here to form the basis of industries and different kinds of manufactures. I am glad to see exportation coming into the Food and Drugs Act, if this is going to be followed up by a revision of the whole Act.

I have another matter to raise but before I do that, I ask that when the Minister is winding up if he would explain—it says in the Explanatory Note:

“The purpose of clause 6 is to amend section 25 of the Act permitting the Minister to make regulations in respect of export of food, drugs or cosmetics. It also provides for the Minister to make regulations for the issue of licences relating...”

I would like to know whether it is necessary to have both. If there are regulations for the export already, do you need licences? What is the rationale for granting or not granting licences? I am sure there is an explanation. It is curiosity on my part, but I would just like to find out.

Mr. Vice-President, the main purpose of my intervention—I now have to say it—is to join Prof. Kenny. Independent Senators do not caucus. We all look at

things and think about them and very often we find we are on roughly the same wavelength, so I have to say I join Prof. Kenny in some of the things he had to say about the fishing industry.

In the first place, I have to confess that I take a very unfashionable view in these days when economic policy and economic philosophy are based upon the need to export. I am not as anxious about or obsessed with exports as current economic policy is. I belong to the old-fashioned school like the Minister of Housing and Settlements who came and gave us the most beautiful and convincing argument one could find against desalination. He told us all about the water supply, about the lakes, catchment areas and providing water for ourselves in the dry season and so forth. That is an old-fashioned thing. He is not into this new-fashioned thing where you bring foreign experts and pay them a lot of money and they put a plant and we have desalination like Antigua. We are joining Antigua. We are modern. No, he is very old fashioned and I am very old fashioned too, in my economic policy, in that I believe that with certain items that one needs to eat and drink, one exports only one's excess.

I do not know if we can afford to export fish. First of all there is a depletion problem. Secondly, in Trinidad and Tobago there is an industry which has been mismanaged and neglected for donkey's years. We have not encouraged people to can, salt and to preserve fish. We have not provided the fishermen with facilities to hold their fish in their icebox until they could get a reasonable price. We have done nothing for the fishing industry as far as conservation and propagation of fish are concerned. I have spoken to the fishermen in Cedros and they say, yes, it is true they fish in Venezuelan waters. Why do you fish in Venezuelan waters? There are no fish in our waters. Why is there fish in Venezuelan waters? Because the Venezuelans are propagating and conserving fish so they have their fishing banks, their preserves where they are always sure they have good fish so our fishermen take a chance and go there. We have not done anything like that. There is a serious depletion and a neglected situation with regard to the fishing industry.

**4.20 p.m.**

Mr. Vice-President, one could export fish, and I could tell you that I eat a lot of fish, but I do not eat this powdered, dyed meat that is sold. These days I am starting to eye herring. Normally, I look at the herring and I say that I am buying some herring for the dog, and then I will go and eat it. *[Laughter]* I also started looking at "joshua". I feel I am going to promote "jashua" back into "joshua", call



it anchovy and start eating him. Because it costs \$17 per pound for some pale, white shrimps. When I asked the vendor if he has, he said, "I have some here. Well, it is \$42 for fellows like you". He says I could afford it. Why should I pay \$42 per pound for shrimp when three years ago I was paying \$12 per pound? Because of export. That is what we have to buy it at, because all the shrimp is being exported. With regard to carite, one cannot get good carite. If one gets carite for less than \$9, it is stale carite that has been there for three or four days. One cannot get fresh carite for less than \$9. As for red fish, they are selling some little red fish, that I throw back when I catch, for \$18 per pound. "Mr. Red Fish" is what the vendors call them. They tell me, "You are trying to buy Mr. Red Fish, Doc". I am not trying to buy Mr. Red Fish, I just want to see what is his market value these days.

I want to make a plea. I am really opposed to bending over backwards to export our fish to the European Common Market, because we have a fish depletion problem, and it is because we have neglected our fishing industry. We are going to kill the goose that lays the golden egg if we now try to scramble up everything for export purposes. Mr. Vice-President, when we say that the country benefits from the export of fish: Which country? It is not the country. The people who are benefiting from the export of fish are the people who control the fish exporting business. Some of them have never ridden in a boat, or gotten sea sick. They do not know anything about fishing, but they are businessmen, they are few, and they are going to benefit from the export of fish. What is happening down the road with ordinary people is that we have been subsidizing these fellows, because now, instead of paying \$5 per pound for carite, we are going to have to pay \$9, \$10 and \$12 per pound for it. So we are paying for them to make their profits. Not only are they making profits, but we are paying, we are subsidizing their profits. So, I am very happy that the Food and Drugs Act has come up for reinvestigation, but I am unhappy that the occasion for it is the rush to sell fish to the European Common Market. I do not think we are prepared to get into a scramble for overseas markets.

I oppose the Bill on practical terms and I oppose it philosophically. I also oppose it from the point of view of diet. This is a country where everybody should be eating fish. We need it, our population needs to be better fed. Fish is about the cheapest thing we produce. They take the cheapest thing we produce and are going to export it, then people have to buy imported salami, which has all kinds of dog mixed up with pork and so forth. I think we are on a very dangerous road.

I think I have sounded my disturbance sufficiently. So I just want to go back and say I am glad that exportation is now coming into the Act, but to indicate, as some of the other speakers have indicated, that an overhaul of the Food and Drugs Act is needed. I am glad that exportation is coming into the Act because I think we do need to control certain things which are being exported as raw material, but which ought to stay here to form the basis of our own manufacturing industries.

I would really like the Government to look again at its fishing policy, even if they desperately feel that they have to go ahead with this. If they do go ahead with it, I want to join Sen. Prof. Julian Kenny in suggesting, in the strongest possible terms, that one of the most urgent requirements in the country at the present time is for the Government to devise, develop and put into place a policy with regard to the fishing industry in Trinidad and Tobago.

Thank you, Mr. Vice-President.

**Sen. Nafeesa Mohammed:** Mr. Vice-President, it was not my intention to take part in this debate this afternoon, but based on the comments which have been made by Sen. Prof. Julian Kenny and Sen. Prof. Kenneth Ramchand, some comments which were made with respect to the state of our fishing industry and, indeed, with respect to our fishing stocks, and seeing this measure is designed to facilitate the exportation of our fish; I think that we need to call on the Government or to remind it about the comments which were made.

I think it was early last year—and I am sure everyone would remember—there was this Gulf crisis taking place, when we were having problems in the Gulf area between Trinidad and Tobago and Venezuela and the whole issue pertaining to our fishing arrangements and agreements and our fishing industry was brought into focus. In fact, it went as far as Peru when the present Minister of Foreign Affairs embarrassed our nation by indicating that something was taking place here. Mr. Vice-President, at that time, I distinctly remember reading that the present Minister of Agriculture, Land and Marine Resources had announced some plans with respect to tapping into this problem of depleted fish stocks. The problem that emerged last year was with regard to the areas where our fishermen were accustomed to fishing, and because of the fact that there was not a fishing agreement in place for quite a long period of time.

One of the comments which came from our fishermen was the fact that the areas in which they are allowing them to fish now are areas where the stocks of fish are very, very low. It was almost as though our entire fishing industry was in crisis.

We have heard comments about putting things in place to increase the stocks of our fish. I certainly would like to know, and the Parliamentary Secretary in the Ministry of Agriculture, Land and Marine Resources is here and perhaps she might be able to assist in letting us know, what efforts, if any at all, are being made with respect to improving our stocks of fish. We are hearing now that a large quantity of our fish is, in fact, being exported and our domestic market is suffering. We heard about the problems in terms of the quality of fish and shrimps that are available to us here in Trinidad and Tobago and certainly I am sure every householder here would be concerned about the prices that one has to pay for shrimps and for fish. Whether it is king fish, carite or what have you, it is really ridiculous. We really need to take steps to tackle this problem in terms of our fish stock and to do those things which are necessary to improve the fish stocks in our waters.

I raise this because when this Gulf crisis was taking place, one of the issues which was highlighted then was the manner in which our fishermen fish. There was the problem with the fish trawlers that go out there and scrape the bottom of the sea, destroying the young fish. In that respect, although there are regulations in place, there is need for greater enforcement of the restrictions and the laws that are in place to ensure that we can replenish our stocks.

Given the nature of the amendment that is being sought here today with respect to the Food and Drugs Act, the main purpose, as outlined by the hon. Minister, is to export our fish. I think that these are issues that ought to be addressed and based on the reports that came out last year with respect to what the Government is planning to do, we certainly wish that the hon. Parliamentary Secretary would give us an idea of how far they have gotten with respect to dealing with this issue. Sooner or later our entire fishing industry will be affected, not just in the Gulf area, Central Trinidad or in Cedros, but even in Mayaro; it is a sad thing. Those of us who go to Mayaro from time to time will see that our fishermen go out there, throw out the seine and, after many hours of hard labour, pulling in those nets, they come in without any fish. We really need to look at this issue of replenishing our stocks and to do those things which will alleviate the hardships that our fishermen in Trinidad and Tobago are experiencing.

Whilst we are talking about the export of fish, we are assuming here that the type of fish the hon. Minister is referring to—we heard about swordfish and I suppose king fish, carite and what have you. I was made aware today of the fact that in Trinidad and Tobago today there is a thriving industry in our country with

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respect to aquarium fishes. I am sure many Senators who may have aquarium type fish in their homes, are not aware that several varieties of fish are being bred right here in Trinidad and Tobago and, in fact, being exported, particularly to North America. This certainly is an initiative that we should make all effort to encourage. Even little children can benefit from an industry like this, because there are many children who enjoy having the fish, whether they are in an aquarium or pond. To know that one can get involved in something where one can actually get into a business is a very encouraging sign. I understand there are two main areas where these aquarium type fish are being bred on a large scale and being exported. I hope this is something that will be encouraged.

Thank you, Mr. Vice-President.

**The Minister of Health (Dr. The Hon. Hamza Rafeeq):** Mr. Vice-President, I would like to thank all the Senators who have spoken and responded to this measure. I must say that I am very impressed by the research which has been done by Sen. Joan Yuille-Williams. [*Desk thumping*] I think we can certainly utilize her services on this side of the Senate.

Mr. Vice-President, I should just like to correct the statement. The Act is Act No. 8 of 1960. It was amended by Acts Nos. 39 of 1968 and 156 of 1972.

I would also like to point out that we have done a comprehensive review of the Food and Drugs legislation. We are almost through with it and it will be brought to Parliament shortly; not only the Food and Drugs Act, but also the Public Health Act. These were two very good pieces of legislation, but they are in need of review. We have done reviews on both of them and they will be brought before Parliament shortly.

**4.35 p.m.**

Mr. Vice-President, we recognize that we do need additional staff at the Food and Drugs Division. At this point in time, we have assurances from the Pan-American Health Organization to acquire a consultant for us to completely review the operations of this department. In the meantime, the Director of Personnel Administration is conducting interviews to add to the complement of food and drugs inspectors. I do not know the exact complement but we are going to increase it.

In addition, we are looking at the possibility of other officers functioning as inspectors under the Food and Drugs Act, for example, the public health

inspectors, the veterinary public health inspectors and other inspectors who are presently functioning under the Antibiotic Act and the Dangerous Drugs Act. Therefore, that would increase the complement for the time being.

We want to reorganize the whole Food and Drugs Division, but the issue of laboratory work was mentioned by Sen. Yuille-Williams. We are looking at the possibility of doing some of the work which is presently being done by the Food and Drugs Department at Cariri. They have a lot of spare capacity in their lab which we could utilize.

Sen. Prof. Kenny mentioned the issue of sovereignty, fishing zones and so forth. There will be brought before Parliament very soon, by way of the Fisheries Resource Bill, legislation which will address some of the issues raised. For his information I would mention a few facts. The data were given to me by the technical people so I am just repeating them. In the regulations it states:

"Fish' means all sea water or fresh water animals or parts thereof and includes: shellfish, crustaceans, marine animals and any parts of shellfish, crustaceans or marine animals; the eggs, sperm, spawn, larvae, spat and juvenile stages of fish, shellfish, crustaceans and marine animals; and fish products or by-products; but excluding aquatic animals, frogs and other aquatic animals."

That is as much as I can say at this point in time.

As I said before, the food and drugs legislation is being upgraded and we will seriously consider Sen. Alfred's suggestion of a permanent inspector for Tobago.

Mr. Vice-President, I beg to move.

*Question put and agreed to.*

*Bill accordingly read a second time.*

**Mr. Vice-President:** Hon. Senators, before we take the committee stage of this Bill, we will break for tea and resume at 5.10 p.m.

**4.40 p.m.:** *Sitting suspended.*

**5.10 p.m.:** *Sitting resumed.*

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

*Senate in committee.*

**Mr. Chairman:** We have a Bill before us with six clauses.

*Clauses 1 to 5 ordered to stand part of the Bill.*

*Clause 6.*

*Question proposed, That clause 6 stand part of the Bill.*

**Mr. Chairman:** In the Minister's introduction he mentioned section 26(1). Is it 26 or 25? Is 25 correct?

**Dr. Rafeeq:** It is 25.

**Mr. Chairman:** 25 is correct.

*Clause 6 ordered to stand part of the Bill.*

*Question put and agreed to, That the Bill, without amendment, be reported to the Senate.*

*Senate resumed.*

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

#### ADJOURNMENT

**Minister of Public Administration (Sen. The Hon. Wade Mark):** Mr. Vice-President, I beg to move that the Senate do now adjourn to Tuesday, July 28, 1998 at 1.30 p.m.

Next Tuesday, as you know, is Private Members' Day and I have conferred with both Sen. Mahabir-Wyatt and Sen. Montano on behalf of Sen. Mohammed and all parties have agreed to forego "Private Members" business next Tuesday. Instead, we are going to focus on the Summary Offences (Amdt.) Bill. What we are seeking to do is go into a brief recess from next Tuesday and return around August 18, 1998 so we just want to wrap up the Summary Offences Bill next Tuesday.

Mr. Vice-President, I alert my colleagues so that they will come prepared next Tuesday for this particular debate. I, therefore, once again move that this Senate be adjourned to Tuesday, July 28, 1998 at 1.30 p.m.

**Mr. Vice-President:** Hon. Senators, there is a matter to be raised on a Motion for the adjournment of the Senate.

#### School Textbooks

**Sen. Nafeesa Mohammed:** Mr. Vice-President, I am sure hon. Senators will recall that last Tuesday before we adjourned, it was expected that this Motion would have been dealt with on the adjournment. Lo and behold we were informed that the hon. Minister of Education could not be found. He did reappear after the sitting was adjourned and today I understand the hon. Minister of Education is now in Brazil.

We see a hatchetman—sorry, with all due respect, Mr. Vice-President. I see my former colleague on this side, now in Government, filling in for the Minister of Education to deal with this Motion.

Mr. Vice-President, leave was granted to raise the following matter on the adjournment and that is the continued dissatisfaction with the books approved by the special task force on the 1997—1998 approved primary school book list.

Two Fridays ago all schools in Trinidad and Tobago were closed for the usual summer vacation. It is customary that around this time of the year school children and, indeed, parents would normally receive book lists and during the course of this vacation period they would go to the various book stores throughout the country in order to purchase their school books for the new academic year which reopens in September. Once again our nation's school children have received book lists that contain approved textbooks for use in primary schools for 1997—1998 which are still very much riddled with errors.

It is my submission that the present Minister of Education and, indeed, the Government of Trinidad and Tobago must be held responsible and accountable to our nation for this continued textbook fiasco. The purpose of my Motion here this afternoon is to call on the Government to initiate further action in order to alleviate what can be described as a crisis in our education system in the shortest possible time.

Mr. Vice-President, I want to make it abundantly clear before I get into the meat of this Motion, that it is not my intention to cast any aspersions on any Member who was appointed to serve on the special task force in September 1997 to look into this affair. In fact, we on this side would like to commend the task force for the work it did. When I look at those Members who made up this task force and I see people of the calibre of Sister Paul D'Ornellius who was, for many years, the Principal of St. Joseph's Convent in Port of Spain and to know that such a person sat on this task force, I feel confident that those men and women would have carried out their mandate with integrity and professionalism.

We on this side are, indeed, mindful of the enormity of the task that the task force had to deal with given the time-frame within which it operated. It is really an accomplishment in terms of the amount of work they were able to cover during the period. But the reality is that, notwithstanding the findings and recommendations of this task force, the problem continues to persist and, if anything, the problem is worse than it was before. We are calling on the Government to take immediate and urgent action in order to deal with this situation in a more meaningful manner.

To understand the seriousness of the problem it is important that I briefly examine the background that has led up to the fiasco. When we look at the background—many of us, in our school days, were accustomed to dealing with textbooks in school that were produced and, indeed, imported from Britain. For many years we were a colony of England and as a result our system of education is, more or less, based on the British system. But over the years textbook development in Trinidad and Tobago has been evolving into a striving private sector enterprise in which material more relevant to our society is being supplied. In fact, when I looked at the task force report it was stated that this textbook industry is something like a \$200 multi-million industry that is existing at present in Trinidad and Tobago.

The reality is that successive governments have sought to find ways to enhance this local textbook industry. For example, in an effort to reduce the cost of books and reduce the frequency of having to change textbooks in schools, since 1972 the Ministry of Education first gave prescribed book lists with respect to our junior secondary schools. In September 1982, Cabinet appointed the Standing Committee for the selection of textbooks for schools; 1982—1987. In 1987 the Ministry of Education circulated a rationalized book list for primary schools. In the late 1980s several book committees were formed. In April 1992 Cabinet appointed a committee on available and affordable textbooks chaired by no less a person than our own Sen. Prof. Ramchand and then there was the National Task Force on Education which produced the White Paper on education in which there is a comprehensive plan set out.

**5.25 p.m.**

Mr. Vice-President, in February, 1995, a new committee was appointed as the Special Committee On Textbooks of Primary and Secondary Schools, with a mandate to put order into and minimize the chaos at primary and secondary schools with respect to textbooks.

In June, 1995, the then Minister of Education stopped the work of the special committee because of the possibility of a conflict of interest.

Then, we know that in November, 1995 the Government changed, and about a year after—I think it was in September, 1996—the new committee, the Standing Committee for the Selection and Standardization of Textbooks for Primary and Secondary Schools was appointed by this UNC coalition Government.



Mr. Vice-President, the 1996 committee was appointed to advise the Ministry of Education on all matters related to the selection and prescription of textbooks for use in our schools. The main goal of this committee was to provide a list of textbooks for use in the 1997—1998 period, and thereafter, for a minimum period of three years. The committee also sought to review primary school textbooks in certain core areas.

In April, 1997 the Standing Committee submitted a report in which it categorized textbook titles as acceptable. Some prices were also quoted in the report and the entire review process was outlined in that report.

However, it was really in the month of June, 1997 when the present Minister of Education—who has now put the new Minister of Information, Communication, Training and Distance Learning in the hot seat—requested primary school principals to prepare a list of four texts from the report, which was suitable to the five core disciplines taught in primary schools. The Minister, thereupon, indicated that he would personally choose two textbooks per subject from the four suggested by principals for use in all primary schools. Mr. Vice-President, it is from thenceforth that all hell has broken loose with the use of textbooks in our nation's primary schools.

Subsequent to the Minister's intervention, principals were given a mere eight hours to arrive at a list of acceptable texts, and without any ideas or information about what criteria would be used, lo and behold, a list of approved textbooks for use in schools in the 1997—98 academic year was approved by the Minister and, indeed, published in the newspapers, to be more precise, the *Sunday Guardian* of July 13, 1997, at page 21 under the heading, "Ministry of Education and Primary Schools Principals Association acceptable list of textbooks for use in primary schools".

I am sure many Senators would recall that it was around this time last year our schools were closed, and so our nation's school children proceeded to purchase the approved textbook as published by the Ministry of Education. As they say, "the mark finally buss" in September, 1997. There was a headline in the *Express* of September 11, 1997, page 3 which revealed, "More than 1,000 errors in math textbook". It says here:

"More than 1,000 grammatical and factual errors in a primary school mathematics textbook which is in use at schools throughout the country, have been identified by a concerned parent."

And the column goes on.

Immediately after this publication, the Prime Minister of Trinidad and Tobago, who goes around the country giving the impression that he is so deeply concerned about our nation's school children, proceeded to make a statement. In fact, in an address to the nation—parts of which were published in the *Express* of September 12, 1997; I would just like to refer to some brief extracts—the Prime Minister said as follows:

"In the wake of yesterday's exclusive *Express* exposé on the huge number of errors in primary school textbooks this year, Prime Minister Basdeo Panday last night called the situation a 'national disgrace', a 'fiasco', 'arrant and dangerous incompetence' and generally railed at what he called the 'extensive mistakes in textbooks approved for use in the nation's schools'.

...'the persons responsible for these atrocities must be called to account, and they must be called to account now.

...the Prime Minister said he had 'instructed' that a special Task Force be established immediately with instructions to submit an initial report within one week."

So the task force was appointed in the middle of September, 1997 to look into this national disgrace.

I would like to refer to the Task Force Report. At page 1, the terms of reference for the task force are elaborately set out. I would not go into reading them out, I am sure the hon. Minister of Information, Communication, Training and Distance Learning is mindful of it. The task force was mandated to submit a report within one week. So that, an initial report was submitted to the Prime Minister on September 30, 1997. Basically, the findings of that initial report, at page 45, said that all books in the 1997 list were faulty and that there were weaknesses in the operations of the Schools Textbooks Committee. Several recommendations were made, amongst which was that a list published in July, 1997 be rescinded and that the continued use of books on the Ministry's approved list be subject to the supply of errata sheets produced and distributed by the publishers.

Mr. Vice-President, when we look at the actual Task Force Report, we will see it is like a Pandora's box: a can of worms was opened up. The problems were discovered at all levels with the operations of the Textbooks Committee, the

method by which the final list of approved textbooks was determined. At page 27 of the report there are recommendations made by the task force and there are both short-term and long-term plans. The action plan up to 1999 dealt with the list approved by the Task Force for use with errata sheets up to 1999. There are several other recommendations there.

The problem is that notwithstanding the findings and recommendations of the task force, the fact of the matter is that the problem identified with having errors in our textbooks have continued since the report of the task force and, indeed, when one looks at the list of approved books there were numerous books which continue to have errors. It is not just a case of those books having errors, but the errata sheets also have errors. I know my time is limited, but I have just four examples of books that are on the approved list, and in one case one book has 170 errors identified, and this is on the approved list. I have an errata sheet with numerous errors.

The sad thing is that these books are on the book list, and just before schools were closed a circular went around stating that these were the books which had to be used, and that disciplinary action could be taken against any teacher found going outside this list.

The reality is that our nation's school children have a book list in their possession and they have to face the bookstores to buy books which continue to have errors, and even though the Task Force said that errata sheets should be supplied, the fact is that the errata sheets have errors, and they are not even being supplied. When one buys the books in the bookstores, one is not getting errata sheets. So our young minds, our nation's school children have to deal with these books.

We are asking that the Government initiate immediate action; that until such time as a proper mechanism is put in place to correct and clean up these books, that either they allow the teachers to revert to the books that they are accustomed using, where they have gotten results over the years, or institute some other mechanism in the shortest possible time, so that come September, our children would not have to face another year in school with books that are riddled with errors. Because it is really a sad day and we hear so much talk about a total quality nation.

Mr. Vice-President, I just need to make the point that if one examines these events one will see that it is since the intervention of the Minister of Education in

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the matter that it has turned into a fiasco, a chaotic situation, and we are calling on the Government to immediately put some mechanism in place. I know that Prof. Ramchand was named as head of a dispute committee. Perhaps we need to have a proper review process or system put in place, but it will take a while to clean up these books. In the meanwhile, tell the nation's school children and the parents what they are supposed to do when they face the bookstores now and when they approach the new academic year. More than that, the price of books is likely to be increasing, Mr. Vice-President. *[Desk thumping]*

**The Minister of Information, Communication, Training and Distance Learning (Dr. The Hon. Rupert Griffith):** Mr. Vice-President, you know, I could very well understand the Freudian slip of the hon. Senator when she talked about hatchet man. I am sure if former Senators Beckles and Mannette were asked: Where is the hatchet man? Certainly, they would not point to anyone on this side. *[Desk thumping] [Laughter]*

Mr. Vice-President, I thank Sen. Nafeesa Mohammed for this opportunity to allow the Government to present its plans and what they propose to do with respect to resolving this matter. Yes, the issue is a real one: it affects the children of the nation and we recognize that. We have put in place mechanisms to deal with it. Indeed, the Senator is right: this Government is committed to a total quality education system and I want to add that this Government will achieve a total quality nation in Trinidad and Tobago. This is only one in a series of things we will put in place.

What the hon. Senator did quite clearly here today, is to raise many issues relating to the textbook issue. I am glad she did it, because it relieved me of the time to deal with those issues. Clearly, one saw that prior to 1995 there was a committee, and we thank them for the work, effort and sacrifices they made. There were some difficulties, there were errors, but as the Senator showed the whole system we put in place, from the moment we identified the kinds of difficulty and errors that occurred with the textbooks, one could see clearly this Government has a vision, it has a plan and it will deal with that issue of the errors in the textbooks.

Mr. Vice-President, distinguished Members of the Senate, I wish to make a brief statement on Sen. Nafeesa Mohammed's Motion on the continued dissatisfaction with the books approved by the Special Task Force on the 1997—98 Approved Primary School Book List.

Mr. Vice-President, the Motion suggests or implies that there is a wide-spread or general dissatisfaction with the primary school book list approved by the Special Task Force for the 1997—98 academic year.

I do not share that view. Indeed, neither the Ministry of Education nor the hon. Minister of Education, as far as I have been able to ascertain, have received any complaints about the approved book list. However, I have come across one or two letters to the editor in one or two of our daily newspapers expressing some measure of dissatisfaction or disagreement with the books approved by the Special Task Force. Except for one letter which, I recall made specific reference to a particular mathematics test, and which the Minister of Education immediately referred to the relevant division of the Ministry for investigation and a report, none of these letters went into specific detail. However, I did identify two main areas of concern conveyed in the letters to the editor that I have read.

**5.40 p.m.**

One claim was that the books on the approved list still contained errors both in the errata sheets and in the text themselves. The other complaint was that the prices of these texts have risen sharply and the expected decrease in the prices has not occurred. Those were the concerns. The Member raised the matter, no problem, I will deal with it.

Mr. Vice-President, distinguished Senators, permit me to inform this august Senate of the actions the Ministry of Education has taken, and will be taking, to resolve this critical issue of the provision of quality primary school texts at affordable prices to parents.

With respect to the claim of the continued existence of errors in the errata sheets, the relevant division was directed to investigate and report on this claim. The exercise involved examining the errata sheets for all approved books. It has not yet been completed but in the interim the division has reported that, firstly, it has not been able to detect any errors in the errata of the mathematics text identified in one of the letters to the editor. Secondly, no errors were detected in the errata sheets of the approved language arts textbooks.

With regard to the question of errors in the approved texts, I have been advised that in their report to the Special Task Force by the division of the Ministry, the Curriculum Development Division responsible for approving the errata sheets indicated that some errors in several of the approved texts could not be rectified by means of errata sheets. Some flaws would have to be addressed

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when the new, corrected version of texts are prepared for publication. These flaws, I must say, were brought to the attention of the publishers concerned and they promised to make the required changes. Accordingly, it is quite possible that some of the approved texts, despite the provision of errata sheets, still contain flaws or some errors.

In the circumstances prevailing at the time that these texts were being reviewed for errors, every effort was made to ensure that they would be error-free. Nevertheless, it is quite possible that some errors escaped detection because of the speed with which the exercise had to be undertaken and completed. Notwithstanding the problem of time constraint, it is safe to say that the outcome of the exercise was found generally acceptable and met with the general satisfaction of teachers and parents.

The publishers of approved texts accepted the recommendations by the special task force, which were approved by the Ministry of Education. I must stress that the revised books on the approved primary school book list would have to be reprinted, without errata sheets for the 1998/1999 academic year. In other words, the corrected versions would be published in time for the new academic year. No books, therefore should appear with errata sheets for the 1998/1999 academic year.

I understand that some of the revised versions have already been printed and are on sale at bookstores, while others are in the process of being reprinted. The Ministry of Education has recently received the assurance from the Book Sellers Association that copies of all reprinted texts would be submitted by the end of July 1998 to the Curriculum Development Division for additional review. That should answer the questions of the hon. Senator. This division would then submit to the Minister of Education by the end of August 1998, a report on their findings with respect to errors and flaws in the new versions. Does the hon. Senator want me to repeat? That would take up all my time. This arrangement is a temporary one and comes to an end with the close of the 1998/1999 academic year.

Hon. Senators, I assure Sen. Mohammed and indeed, the entire population, that this Government and the Ministry of Education intend to do all that is within our power to ensure that the books prescribed for use in our primary and secondary schools, meet the highest standards and are acceptable to all involved in the education enterprise. By that I mean principals, teachers, parents, guardians pupils, education specialists and the general public.

Toward this end, Cabinet recently approved the appointment of a new Standing Textbook Evaluation Committee under the distinguished chairmanship of

our good Sen. Prof. Ramchand. I salute his expertise. The committee includes representatives of a broad cross-section of stakeholders, organizations and individuals with special expertise. For example, the University of the West Indies, professional associations representing the principals of primary and secondary schools, the Trinidad and Tobago Unified Teachers Association, the private sector, the National Parent Teachers' Association and specialists in mathematics, science, social studies and language arts.

This committee has been given, in accordance with the recommendations of the Special Task Force of 1997/1998 to which the hon. Senator referred, school book lists, new and revised terms of reference. The terms of reference include, among other things:

1. To receive and examine books by authors and publishers for use in schools, evaluating them as to their suitability for use in relation to the school curriculum including objectives, goals, targets and methods of delivery.
2. To make recommendations to the Minister of Education to categorize books as follows:
  - (i) Suitable.
  - (ii) Unsuitable.
  - (iii) Require further work.
3. To consider, among other things, the following, in arriving at recommendations with respect to No. (ii) above:
  - (i) content and coverage;
  - (ii) presentation and ease of use;
  - (iii) levels to which the material is appropriate;
  - (iv) accuracy;
  - (v) relevance;
  - (vi) the matter of errors;
  - (vii) sturdiness and durability;
  - (viii) cost.

The Textbook Evaluation Committee will be scrutinizing and evaluating once more, the books on the approved primary school book list approved by the Special Task Force and the Ministry of Education, which is the existing prescribed book

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list to which this Motion refers. In fact, this committee will have the immediate responsibility, as its first order of business, of recommending to the Minister of Education the primary school text books to be prescribed for the 1999/2000 academic year.

The existing list is therefore, not cast in stone. It is to be reviewed when the committee begins its work shortly. This Government is confident that this committee, in due course, will issue a list of recommended texts for use in our primary schools which will satisfy the highest standards of quality that we all demand and expect, and will also meet with the full satisfaction of all who have a legitimate and valid interest in education.

Finally, I turn to the question of the price of textbooks. A few days ago, the hon. Minister of Trade, Industry and Consumer Affairs and the hon. Minister of Education met with representatives of the Book Sellers Association to discuss the issue of the perceived increase in the price of books. The Ministers were assured by the association that the maximum increase in prices for books for the 1998/1999 academic year would be 10 per cent. That is, increased prices could be less than 10 per cent but not more.

They indicated that the price increase was due to increased labour cost arising largely from their compliance with the new Minimum Wages Order. Further to that, the hon. Ministers were told that local printing costs were at the same level as last year. There was no increase in the cost for local printing of the textbooks for the new academic year. However, some of the books printed abroad would reflect slight increases due to fluctuations in the exchange rates, particularly in the pound sterling.

With regard to prices in the 1998/1999 books, the Ministry of Education has undertaken to write the publishers requesting them not to increase their prices beyond 10 per cent. A meeting with local publishers to discuss this issue of prices is to be held no later than the end of July 1998.

This concludes my statement on the Motion before us. Mr. Vice-President, I assure you and the nation that this Government and the Ministry of Education are committed to pursuing the entire problem of textbooks to its logical and satisfactory resolution.

Thank you.

*Question put and agreed to.*

*Senate adjourned accordingly.*

*Adjourned at 5.58 p.m.*