

**THE  
PARLIAMENTARY DEBATES  
OFFICIAL REPORT**

IN THE FOURTH SESSION OF THE FIFTH PARLIAMENT OF THE REPUBLIC OF TRINIDAD  
AND TOBAGO WHICH OPENED ON NOVEMBER 27, 1995

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**SESSION 1998—1999**

**VOLUME 15**

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**SENATE**

*Tuesday, April 06, 1999*

The Senate met at 10.00 a.m.

**PRAYERS**

[MR. PRESIDENT *in the Chair*]

**LEAVE OF ABSENCE**

**Mr. President:** Hon. Senators, leave of absence from today's sitting has been granted to Sen. Diana Mahabir-Wyatt, Sen. Martin Daly, Sen. Julian Kenny and Sen. Philip Hamel-Smith for the period March 27 to April 16, 1999.

**SENATORS' APPOINTMENT**

**Mr. President:** Hon. Senators, I have received the following communication from His Excellency, The President of the Republic of Trinidad and Tobago.

"THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency ARTHUR N. R. ROBINSON,  
T.C., O.C.C., S.C., President and  
Commander-in-Chief of the Republic of  
Trinidad and Tobago.

\s\ Arthur N. R. Robinson  
President.

To: MR. KENNETH AYOUNG-CHEE

WHEREAS Senator Diana Mahabir-Wyatt is incapable of performing her functions as a Senator by reason of her absence from Trinidad and Tobago.

NOW, THEREFORE, I, ARTHUR N. R. ROBINSON, President as aforesaid, in exercise of the power vested in me by section 40(2)(c) and section 44 of the Constitution of the Republic of Trinidad and Tobago, do hereby

*Senators' Appointment*  
[MR. PRESIDENT]

*Tuesday, April 06, 1999*

appoint you, KENNETH AYOUNG-CHEE, to be temporarily a member of the Senate, with effect from 6th April, 1999 and continuing during the absence from Trinidad and Tobago of the said Senator Diana Mahabir-Wyatt. Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 1st day of April 1999."

"THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency ARTHUR N. R. ROBINSON, T.C., O.C.C.,  
S.C., President and Commander-in-Chief of the  
Republic of Trinidad and Tobago.

\s\ Arthur N. R. Robinson  
President.

To: MR. VINCENT CABRERA

WHEREAS Senator Philip Hamel-Smith is incapable of performing his functions as a Senator by reason of his absence from Trinidad and Tobago.

NOW, THEREFORE, I, ARTHUR N. R. ROBINSON, President as aforesaid, acting in accordance with the advice of the Prime Minister, in exercise of the power vested in me by section 44 of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, VINCENT CABRERA, to be temporarily a member of the Senate, with effect from 29th March 1999 and continuing during the absence from Trinidad and Tobago of the said Senator Philip Hamel-Smith.

Given under my Hand and the Seal of the President of  
the Republic of Trinidad and Tobago at the Office  
of the President, St. Ann's, this 26th day of March,  
1999."

**OATH OF ALLEGIANCE**

*Senators Kenneth Ayoun-Chee and Vincent Cabrera took and subscribed the Oath of Allegiance as required by law.*

**PAPERS LAID**

1. Report of the Auditor General of the Republic of Trinidad and Tobago on the Accounts and Financial Statements of the Basic Education Project for the period of account January 01, 1998 to September 30, 1998 as

*Papers Laid*

*Tuesday, April 06, 1999*

required by Loan Contract No. 3956-TR between the Government of the Republic of Trinidad and Tobago and the International Bank for Reconstruction and Development. [*The Minister of Finance (Sen. The Hon. Brian Kuei Tung)*]

2. Financial Statements of First Citizens Bank Limited and its Subsidiaries for the year ended September 30, 1998. [*Sen. B. Kuei Tung*]
3. The Excise Duty (Compressed Natural Gas) Order, 1999. [*Sen. B. Kuei Tung*]

**10.10 a.m.**

**LITTLE FLOCK CHRISTIAN MISSION (INC'N) BILL**

**Presentation**

**Sen. Nizam Baksh:** Mr. President, I have the honour to present the report of the Special Select Committee appointed to consider and report on the Bill for the incorporation of the Little Flock Christian Mission and for matters incidental thereto.

**ARRANGEMENT OF BUSINESS**

**The Minister of Public Administration (Sen. The Hon. Wade Mark):** Mr. President, I beg to move that the order of business for today's sitting be as follows: Motion No. 3 under Private Business; secondly, Bills Second Reading under Private Business; Motion No. 2 under Government Business; and Bills Second Reading under Government Business.

*Agreed to.*

**LITTLE FLOCK CHRISTIAN MISSION (INC'N) BILL**

**Adoption**

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

*Be it resolved,* That the Senate adopt the report of the Special Select Committee of the Senate appointed to consider and report on the Bill for the incorporation of the Little Flock Christian Mission and for matters incidental thereto. The committee met, we spoke with the presenters and the report was submitted.

Mr. President, I beg to move.

*Little Flock (Inc'n) Bill*

*Tuesday, April 06, 1999*

**Mr. President:** This Report needs a seconder—a member of the committee.

*Secoded by Sen. Dr. Eastlyn Mc Kenzie.*

*Report adopted.*

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

*Bill accordingly read the third time and passed.*

#### **HORTICULTURAL SOCIETY (INC'N) BILL**

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

*Bill accordingly read a second time.*

**Mr. President:** Hon. Senators, I have appointed the following Senators to serve on a Special Select Committee to consider and report on a private Bill entitled, “An Act for the incorporation of the Horticultural Society of Trinidad and Tobago and for matters incidental thereto.

*Sen. C. Cuffy-Dowlat (Chairman); Sen. A. Gabriel; Sen. M. Shabazz; and Sen. Rev. D. Teelucksingh.*

#### **EXCISE DUTY (COMPRESSED NATURAL GAS) ORDER, 1999**

**The Minister of Finance (Sen. The Hon. Brian Kuei Tung):** Mr. President, I beg to move the Motion that is standing in my name:

**WHEREAS** it is provided by subsection (2) of section 13 of the Excise (General Provisions) Act, Chap. 78:50 that the Minister may by order impose any new excise duty or increase any excise duty and from the date of publication of the Order in the *Gazette* and until the expiry thereof the duties specified in the Order shall be payable in lieu of the duties payable prior thereto:

**AND WHEREAS** it is provided by the said subsection that every Order issued under that subsection shall, after four days and within twenty-one days from the date of its first publication, be submitted to the Senate and the House of Representatives and the Senate and House of Representatives may by Resolution confirm, amend or revoke such Order, and upon

publication of the Resolution of the Senate and House of Representatives in the *Gazette* the Resolution shall have effect and the Order shall then expire:

**AND WHEREAS** the Excise Duty (Compressed Natural Gas) Order, 1999 was made under subsection (2) of section 13 of the Excise (General Provisions) Act, and first published in the *Gazette* on the 19th day of March, 1999:

**AND WHEREAS** it is expedient to confirm the said Order:

**BE IT RESOLVED** that the Excise Duty (Compressed Natural Gas) Order, 1999, be confirmed.”

Mr. President, this is a rather easy and simple task for me this morning. One will recall that an excise duty on Compressed Natural Gas (CNG) was first imposed in 1997 at a rate of TT 24.82 cents per litre. I know it sounds odd, but I suppose in large numbers, when one is dealing with it, 24.82 cents probably makes a big difference. This initial imposition was intended to partially compensate for the loss in revenue arising from the removal of the annual licence fees on all classes of vehicles. It is now proposed that the new excise duty on CNG be imposed at the rate of 20.414 cents; a reduction, thereby, where the new price of CNG is now 4.406 cents per litre.

The Order which is before this House was made by me as the Minister of Finance pursuant to section 13:2 of the Excise (General Provisions) Act, Chap. 78:50. By that section, the Minister of Finance is empowered to impose any new excise duty or increase any excise duty by way of an Order. The Order which is the subject of this Motion imposes a new excise duty on CNG at the price of TT 20.414 cents per litre, and revokes the earlier 1997 Order by which the higher price of TT 24.82 cents per litre had been imposed.

Mr. President, since the law, as presently formulated, does not make provision for a decrease of an excise duty, the mechanism which I have used and which has been advised by the Chief Parliamentary Counsel is to revoke the earlier Order and to impose a new excise duty by this 1999 Order. Where an Order is made under section 13 by the Excise (General Provisions) Act, that Order must, after four days and within 21 days from the date of the first publication of the Order, be submitted to Parliament.

*Excise Duty Order*  
[HON. B. KUEI TUNG]

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Moreover, where the Order is submitted to Parliament within the specified time, Parliament may, by resolution, confirm, amend or revoke the Order, and upon publication of the resolution of Parliament, the resolution shall have effect and the ministerial Order shall expire. On the other hand, Mr. President, where the published Order is not presented to Parliament within the specified time, the Order shall cease to have effect, and any excise duties paid by a consumer after the expiration of the Order shall be refunded to the consumer.

This Order which is before this honourable House was published in the *Gazette* on March 19, 1999 and was presented to Parliament on March 26, 1999; this latter date being more than four days and within 21 days of the date of the first publication of the Order. The Order has, therefore, satisfied the procedural requirements of the law.

Mr. President, this change in the excise duty on CNG has come about as a result of adjustments in the pricing structure of CNG. These adjustments were made to compensate for changes in the exchange rate and the conversion factor used in converting the energy content of natural gas to the litre equivalent of gasoline. If I sound impressive, I really do not know what it is about. I am not the engineer, and I am sure my colleague, Sen. Gangar must be quite impressed by how I am sounding. *[Laughter]*

In establishing the existing price of CNG to the consumer, the price was set at TT 18.98 cents per litre based on a conversion factor of 26 standard cubic feet per litre equivalent of gasoline and a then exchange rate of TT \$4.29 to the US dollar. I am a little more familiar with that latter part. Using the current conversion factor and the new exchange rate of TT \$6.30 to the US dollar, the price of CNG was increased from TT 18.98 cents per litre equivalent to the new price of 23.386 per litre equivalent; an increase of 4.406 cents per litre over the existing price. However, in order to maintain the current retail price of CNG at TT \$1.07 per litre, so that there would be no additional cost to the consumer, Government has agreed to lower the excise duty on CNG by a corresponding amount of 4.406 cents per litre. I guess what all of this says is that the price should have gone up, given the increase that has arisen as a result of both the conversion factor and the exchange rate, but in order to maintain the same price, Government has now decided to reduce the excise duty component to compensate for the increases which arose as a result of those two other factors.

The Government has also endorsed the need for more concentrated efforts towards rebuilding consumer confidence in this product, encouraging new consumers and ensuring availability of supplies of CNG on a timely basis. As mentioned earlier, the Excise Duty (Compressed Natural Gas ) Order, 1999 was issued as a result of adjustments made to the pricing structure of CNG and imposes a new excise duty on CNG of TT 28.414 cents per litre, thereby reducing the excise duty by TT 4.406 cents per litre.

**Sen. Montano:** Could the Minister tell us what the cost to the Treasury will be on an annual basis?

**Sen. The Hon. B. Kuei Tung:** I do not have the exact figure, but when we looked at it, it would not have been a very substantial figure. CNG has not yet become popular. I am told by my colleague, the Minister of Energy and Energy Industries, that the figure is TT \$400,000.

Mr. President, I beg to move that the Excise Duty (Compressed Natural Gas) Order, 1999 be confirmed by this honourable House. [*Desk thumping*]

*Question proposed.*

**Sen. Danny Montano:** Mr. President, this is a fairly simple matter, as the Minister indicated—a reduction in the excise duty on CNG—but it does raise one or two questions on the Government's policy vis-a-vis CNG. The first thing that comes to mind is that while I can certainly understand and support the measure that is being taken as was indicated by the Minister of Energy and Energy Industries to the Minister of Finance, the cost to the Treasury is going to be some \$400,000 per year; and as the Minister of Finance indicated, the use of CNG is not that widely accepted at this time. Of course, I think that in itself is problematic, and it is to that issue I would like to address one or two questions.

**10.25 a.m.**

We know that National Petroleum hired a consultant to the tune that has cost the company and the country some \$1/2 million dollars for the past two years and has now exited under a bit of a cloud and exactly what he has accomplished—I certainly do not know what he has done, but I understand that, at least, some of these stations are to be privatized and some of them are trying to be upgraded and apparently the upgrading is costing a pound and a crown and they cannot seem to complete the upgrading of the stations.

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With regard to the privatization and upgrading of stations, I would like to get a statement from somebody on the Government side as to what is being done with regard to CNG, because part of the problem and difficulty of CNG is that it has not been that widely used, and the fact that it is not widely available. In most gas stations that you go to, there is no CNG pump and in the stations that do have it, the amount of space that is available for the CNG pump is barely sufficient to accommodate the demand on the pumps. The pumps are relatively slow. I understand that the technology exists and is about to be acquired, at least, in one or two of the stations so that the cars can be recharged with CNG much faster than is presently being done. There is no doubt that the failure of CNG in terms of the demand to the public has been largely because of its limited supply. What I would like to know is, are these gas stations going to be privatized? This is what we hear and why we hired a consultant that the Minister of Energy thinks is the next best thing to sliced bread.

In fact, are all of the stations going to be required to have a CNG pump and to have CNG available and, if in fact they are required, as I think they should be, and they are selling Esso gasoline or whatever, under what label would they be selling CNG? Are they going to be selling Esso/CNG? Are they going to be selling Shell/CNG? What is the policy here?

**Sen. Mohammed:** Petrotrin CNG.

**Sen. D. Montano:** Or, is it that we can drive up to the gas stations and buy chicken but we cannot buy CNG?

**Sen. Mohammed:** Royal Castle only.

**Sen. D. Montano:** I would like to know. *[Laughter]*

**Sen. Mohammed:** And Pizza Boys CNG.

**Sen. D. Montano:** I would like to know what Government's policy is. Mr. President, with those few words, I would ask for some kind of response from the Government side. Tell us what it is that they are doing, and what exactly we got for \$500,000 that we paid to Mr. Soodhoo. Thank you. *[Desk thumping]*.

**Sen. Mohammed:** That was fast.

**The Minister of Energy and Energy Industries (Sen. The Hon. Finbar Gangar):** Mr. President, I want to make just a very brief intervention on this particular Motion presented by the hon. Minister of Finance and also to put into



perspective some of the comments which were made by Sen. Danny Montano. I did not come prepared to do much speaking on this particular topic this morning, but I would grasp the opportunity to say a few words in order to outline very briefly, the Government's policy with respect to Compressed Natural Gas.

Mr. President, the CNG situation in Trinidad and Tobago is a classic example of a very good experiment which has gone wrong. It is a fact of life that natural gas has now become the fuel of choice worldwide, particularly, with respect to the use of CNG because it is a clean burning, low emission and an environmentally friendly fuel; and throughout the world countries have been turning towards the use of Compressed Natural Gas as a vehicular fuel.

Some time in the early 1990s, if I am to give a brief historical perspective, Compressed Natural Gas was introduced in Trinidad and Tobago by the then government, under the aegis of the Ministry of Energy and Energy Industries. Since then, this pilot project has had approximately 3000—4000 vehicles being converted and approximately 13 CNG gas stations put into operation.

As I said earlier in my contribution, this is one example of a very good project, conceptually, which went wrong. The project has been, as rightly pointed out by Sen. Montano, one which has not been successful.

In a recent analysis done by the Ministry of Energy and Energy Industries, it would appear that the project looked upon as a whole has lost \$TT 14 million for a number of reasons and most of the losses have been borne by the National Petroleum Marketing Company.

When one looks at the entire problem, one can see that there are a number of reasons and the first one we are trying to resolve at present—and it really is the genesis of the problem—is the pricing structure. The National Petroleum Marketing Company has been losing money on this particular experiment, as I said, over the eight or nine-year period to the tune of \$14 million. This goes back to, among other things, the pricing arrangement which we are now trying to correct.

Mr. President in this particular project, the then Minister of Energy and Energy Industries set the pump price at which CNG was being sold and it was set on the basis of an exchange rate of \$TT 4.25 to \$US 1.00 and also it was based on a conversion rate from BTUs of Natural Gas to litres of fuel on a 26.6 conversion rate.

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When this administration came into office it was discovered that the conversion rate was in fact wrong, it should not have been 26.6 but really 32.2. So therefore, the National Petroleum Marketing Company was in fact subsidizing the motorist with respect to the use of CNG and in that context they were losing money.

Also there were serious maintenance problems associated with the compressors themselves. In fact, when the Government assumed office, there were 13 stations supposed to be selling CNG and only eight were operational; that was one of the major problems. Again, through the intervention of the Minister of Energy and Energy Industries the maintenance problems associated with these compressors were actually solved. This is yet another example of the micro management we talk about in the energy sector of this country, but so be it, because the Minister of Energy is an engineer himself and he knows a lot about compressors. As of this point in time, we have 13 compressors out of 13 now functioning, alleviating the burden of motorists in Trinidad and Tobago.

**10.35 a.m.**

Mr. President, with respect to the time it takes to fill these cars, it would appear that the wrong type of compressors were ordered and it is now taking between six and seven minutes to fill a normal standard car. Obviously, if there are 30 or 40 cars per day there would be inordinately long lines.

There were two problems; one, a maintenance problem where the compressors were frequently breaking down and not in service most of the time. Secondly, when we assumed office, 9 out of 13 were in operation and it took a long time to fill these cars. These two factors taken together served as a major deterrent to the widespread use of CNG.

Recently, at the beginning of this year after a very exhaustive process, we have been able to order two new compressors and they are not cheap. The installed cost of each one of these compressors is about \$2 million and one has been installed at the Carousel station in Cocoyea Village, San Fernando and the other one is due to be installed at the Rushworth Street Service Station and these new types of CNG compressors would be able to fill motor cars between two and three minutes. It stands to reason that having solved both the maintenance problems and also the operational problems associated with the CNG type vehicular fuel in Trinidad and Tobago, we would see a more widespread use of this particular fuel.

With respect to the expansion of the CNG network—I think this is the basis of this Motion today which I have been able to convince my colleague, the Minister

of Finance, that in order to expand the CNG network it must make commercial business sense for National Petroleum Marketing Company. The Government was faced with two options because in order to make it attractive to National Petroleum Marketing Company, we had to increase the wholesale margin and in order to increase the wholesale margin, and at the same time keep the pump price fixed, our only option at this stage was to lower the excise duty and this is what my honourable colleague, the Minister of Finance, has been able to do.

Now that we have put the infrastructure in place where we have fixed those compressors, we have started replacement of the existing compressors on a phased basis and also made it more economically attractive to the National Petroleum Marketing Company because it would no longer be losing money on this particular project. We can look forward to the expansion of the CNG Service Station network in Trinidad and Tobago, and the Government has taken proactive measures in that I have been once again reassured by my hon. colleague, the Minister of Works and Transport, that the new PTSC bus fleet would be CNG-friendly which would make a significant improvement in the environmental conditions which exist on the roads of Trinidad and Tobago.

In 1998, the Minister of Energy and Energy Industries prepared a comprehensive list of incentives which are designed to make the use of CNG more widespread in this country, however, we took the decision not to implement it in the 1998/1999 budget for the simple reason that the infrastructure was not in place to support widespread use of CNG. So what we are in fact doing, is putting the infrastructure in place to make CNG more widespread in Trinidad and Tobago.

To answer Sen. Montano's very relevant question. Our policy initiatives include fixing the maintenance problems making these compressors more readily available; a phased replacement of the compressors in order to have a faster time making it more effective to National Petroleum Marketing Company; to install more CNG compressors in order to increase the size of the network, and also to be proactive as far as the fleet is concerned by making our bus fleet CNG-friendly.

Mr. President, with those few words, I hope I have clarified that particular subject to hon. Senators.

**Sen. Nafeesa Mohammed:** Mr. President, after the entire world would have enjoyed this very peaceful and wonderful Easter weekend, we would have thought today when we resumed in Parliament we would be able to get some serious business going, but after listening to the Minister of Energy and Energy Industries

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[SEN. MOHAMMED]

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this morning I would like to make a very brief intervention in this debate on the Motion before us.

The hon. Minister of Energy and Energy Industries spent the first half of his contribution going back in times to the introduction of CNG and trying to make a point that the Government of the day that introduced CNG, it was a good experiment that was bound to fail—words to that effect.

Mr. President, it is rather unfortunate that the hon. Minister of Energy and Energy Industries would join the rest of his colleagues who always seem to be so obsessed and always wanting to blame the PNM for very good policy measures which had been put in place. If this project is showing signs of failure today, we have to ask the present UNC Administration about its role and contribution in causing CNG to be a failure today. I raise this in the context of the policy initiatives of this administration particularly, as it relates to National Petroleum Marketing Company.

I would like to put on record that in Trinidad and Tobago, one of the first persons in this country to install that CNG kit in his vehicle, is our political Leader and former Prime Minister of this country, the hon. Patrick Manning.

Mr. President, we heard about the move during the early 1990s to expand this project and have stations install CNG pumps and the Minister is talking about bad execution, but I would come to that in a minute. The Minister boasted about micro-management and that he was able to get into the system and fix all the maintenance problems, which is far from the truth, and the records are there to show it. The hon. Minister and the entire country knows that.

Mr. President, we are talking about an order that seeks to reduce the excise duty on CNG and the general policy of the Government with respect to the use of CNG. I was just browsing through the *Green Paper for Proposed Energy Policy for the Republic of Trinidad and Tobago* dated June 1998 and it is a publication by the Ministry of Energy and Energy Industries, and on page 1, the Executive Summary starts off by saying:

“The Government of Trinidad and Tobago is keenly aware that the resources of the country represent the patrimony of the citizens and must be used for their benefit.”

On page 5 of the document says:

“The country also has a limited programme in the area of alternative energy.”

It goes on:

“Currently a commercial compressed natural gas (CNG) project is in existence...”

On page 11, paragraph 3.1 under the heading “Policy Goals”, amongst the several policy goals identified is:

“Promotion of clean energy/alternative energy options viz., use of compressed natural gas (CNG) as a vehicular fuel, use of piped natural gas for domestic and commercial purposes”

Of greater significance is page 24 of the document, paragraph 4.51, under the heading “Alternative Energy Policy Options/Environmentally Cleaner Fuels” which talks about the use of cleaner energy fuels as being one area of focus.

It says:

“The use of compressed natural gas (CNG) as a vehicular fuel will continue to receive strong support from the Government through the introduction of improved technology for supply at dispensing stations, expansion of the number of outlets, and the provision of incentives to encourage and expand the base of CNG users.”

I know that the hon. Minister made mention of some of the problems involved with the present compressors, but when we are talking about improved technology, we recognize that there are in fact some problems associated with the present existing pumps. I live in Barataria and by the roundabout there is a station which sells CNG and on a daily basis, all hours of the night there are very long lines of cars with persons waiting to have their vehicles filled. I understand it takes about ten minutes to fill a tank. My information is—and the hon. Minister made mention of the fact—that recently they acquired two new units to replace present pumps in order to speed up the supply of CNG. I am informed that these units are known as Solsar units and one unit costs US \$300,000. So you are talking about US \$600,000, which is over TT \$3.5 million for the cost of these two pieces of equipment which came from Switzerland.

I would like the Minister in the same vein and enthusiasm to tell us some more about the tendering process which was used for the acquisition of those Solsar units and where was the transparency; and whether the Swiss company was, in fact, the one they liaised with. I would like the hon. Minister who boasts about transparency to come clean with us.

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Mr. President, more than that, the Minister said that one of the pumps had already been installed at Carousel but there is another one lying around somewhere. It must be in a warehouse. I would like him to tell us where, and at what cost and how long it has been in the country.

**Sen. Gangar:** On a point of clarification, the Solsar compressor was selected based on an international public advertisement and an independent evaluation committee was established and sanctioned by the Central Tenders Board of Trinidad and Tobago.

The second compressor is supposed to be installed at the Rushworth Street Service Station in San Fernando when that station's upgrading or reconstruction is completed. We do not install a compressor when construction is in progress, so for the information of Sen. Mohammed I wish to clarify that particular point.

**10.50 a.m.**

**Sen. N. Mohammed:** Thank you very much, hon. Minister who sought to clarify this issue. But it brings me to the next issue. When is the site going to be ready? Because this Government and the Chairman of the National Petroleum Marketing Company Limited have been on record boasting about the upgrade modernization project, and I believe it was some time in September of last year when two stations were being launched and the ceremonies held, it was announced that these stations would have been completed and opened by January or February of this year. We are in April. What is the present status of construction of these sites? If the sites were not ready, why did they bring in the pieces of equipment so early?

Mr. President, that is not all. Upon making some enquiries in terms of the CNG policy, my information is that part of the Government's policy is to expand the sites where CNG will be made available. We know there are new sites being constructed and that several of the existing stations are supposed to be upgraded. That is part of this so-called upgrade modernization project that the well-known financial whiz in the country was supposed to be in charge of. My colleague raised the issue a while ago, but in terms of the construction of these sites and the upgrade that is taking place, we need these new stations and my colleague asked the question about whether steps were being taken to ensure that these new sites would have CNG pumps installed in them.

I hear my honourable friend asking about the relevance of it. We are talking about the use of CNG and about making it accessible and available.

In the modernization process, my information is that there had been several packages under which contracts had been awarded. With respect to package A, a certain package A was awarded to a particular company which happened to have been the third lowest bidder in terms of cost and yet it got several stations to construct. In particular, I think they are the people involved in the construction of a station at Gasparillo and one at Richmond Street.

I pass on Richmond Street regularly and that station looks far from being completed. I am sure if anybody else passes there, they will see it. I would like to ask the hon. Minister: Are the contracts that were awarded under these various packages being performed according to schedule? If there are delays, will the National Petroleum Marketing Company Limited which has been experiencing some losses, as the hon. Minister sought to point out, be recovering damages, particularly liquidated damages being brought about by the construction that is taking place? What about the quality of work that is being done? Because, I have been reading reports about the poor performance.

**Mr. President:** Senator, I think you are straying from the Motion. Please revert.

**Sen. N. Mohammed:** Thank you very much, Mr. President.

As we deal with this Motion that seeks to vary the excise duty on CNG, we are talking here about the policy of the Government in terms of the use of CNG, it is in this context that I sought to talk about the expansion of the service station sites and the project that is on stream, because one would expect that in these new sites, there would in fact be CNG pumps installed. For example, the Richmond Street station. We have not been told whether that particular station is being equipped with a CNG pump.

What is emerging here, because only this morning when I looked at the newspaper and just for the record, I would like to refer to an article I read on page 4 of today's *Daily Express*. It is headlined "NP QuikShoppe project slows". It is very relevant to the CNG issue and it says:

"National Petroleum's \$200 million service station upgrade is behind schedule.

At least three of nine gas stations which form part of the company's initial station enhancement have missed their completion deadlines.

One of the most prominent, at Richmond Street, Port of Spain, was originally targeted for completion by February, along with eight more."

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The article goes on about the various stations.

“Rushworth Street will also have a new CNG unit for greater efficiency and speed. The project has also passed its original completion date.”

All I am simply asking is: What will be the cost implications for NP as a result of these lengthy delays? Because time is going by.

In another newspaper article, the *Weekend Independent* of Friday, January 22, 1999, page 3 is headlined “Gangar probes NP \$250m project”.

The hon. Minister talked about his micro management practices. It says in the article:

“Energy Minister Finbar Gangar on Friday summoned the entire Project Implementation Unit (PIU) staff of National Petroleum (NP) to an emergency meeting for an update on the status of the scandal-ridden pilot service station upgrades at Richmond Street, Port of Spain and Gasparillo.”

The article went on:

“The whole thing is riddled with confusion and there are mounting cost overruns, with the PIU making a mint in overtime dollars.”

It went on:

“The contract for the pilot Richmond Street and Gasparillo stations was awarded to the little-known Rainbow Construction Company Limited, a subsidiary of Bhagwansingh’s Hardware.”

It goes on:

“Under the terms of the contract there is a \$10,000 a day penalty for late completion.”

So, when the hon. Minister talks about the pricing structure and the difficulties they have been having in terms of making CNG more available, accessible and what have you, this is directly linked to the present upgrade project. It has a direct link to it because, clearly, this whole project seems to be on the brink of collapse and this Government should come clean and tell us what exactly is the status and what will be the consequences in terms of our country.

Mr. President, in terms of equipment—because the hon. Minister talked about the compressors and the need for new compressors, the wrong compressors having been brought in—I am informed that some \$100 million worth of NP’s



cash money has been used to purchase equipment, which is lying idle in other warehouses in this country for which storage fees have to be paid on equipment which is to be placed in these same service stations that we are talking about, yet we cannot get a proper report or account on these service stations and when they will be completed. This is why, when we are talking about the equipment, we have to express our concerns particularly with the units and when you hear the cost of the units that are involved. It is a lot of money that is involved.

Mr. President, you know, a super financial kid was hired to head a project and we have to ask a question about the expiry of his contract on March 31, 1999 and whether he has been able to satisfy the financial requirements that were required for this upgrade project. That is what he was hired for and we need to get a status report. Is it that the project is now going to be down-sized? Because, this is what this article is suggesting, that the whole project seems to be slowing down and we need to know. We know how difficult it is to raise funds in the international financial market. From where is the money coming to continue with the project?

There are several other stations which are targeted for upgrade and what have you. All I know is that we have read in the newspapers that in some of these QuikShoppes, we know that some chicken and chips outlets are likely to be introduced. But we want gas and we want CNG, not just chicken and chips in the gas stations. I understand that soon pizza will be coming, too.

**Sen. Gangar:** You wish!

**Sen. N. Mohammed:** The whole project seems to be collapsing.

There is another issue to it. In terms of encouraging a more widespread use of CNG, what is required is some kind of incentive to encourage the motoring public to want to go to CNG. My information, after speaking to a taxi driver, is that he would love to convert his engine to CNG, but the cost is so phenomenal. I think it is \$5,000 or \$8,000 just for the conversion kit. The Minister talked about some kinds of incentives. He did not tell us what they were, but perhaps a good incentive might be to remove the VAT, or remove the duties on the importation of these kits, or perhaps stipulate that vehicles coming into the country, be they new or foreign-used ones, would come with these CNG-ready kits because the cost of CNG would be far cheaper than the ordinary gas and it is a cleaner supply of fuel. We have no difficulties with that.

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So, Mr. President, all I am saying is that instead of putting in Royal Castle outlets, we need more and faster pumps to service the CNG users.

I thank you, Mr. President.

**Sen. Rev. Daniel Teelucksingh:** Mr. President, I still have time to wish the Senate and the nation a very happy Easter season. I pray that God's blessings will continue to be with us. Easter means new life and I hope that there will be a newness in our relationship with one another.

I want to compliment the Government. I thank the Government for the few cents reduction in the price of natural gas for us. This in itself may be a further incentive for more persons to use CNG in their vehicles.

**Sen. Montano:** The price is staying the same.

**Sen. Rev. D. Teelucksingh:** The price stays the same. In any case, it is quite cheap.

I wish to plead with the Government to fast track any project which will increase and upgrade the CNG dispensing stations. There are hundreds of CNG users who have been suffering for many years, particularly the taxi drivers, who every day lose precious working hours at those dispensing units that break down so regularly and I am very happy that the hon. Minister of Energy and Energy Industries has confirmed that something is wrong with the present system.

I have said for a long time and there are many of us who use CNG who believe that that was a bad deal way back in the early 90s before this regime. I suspect that the present dispensers must have been rejected equipment brought in from somewhere, and would have been an embarrassment anyhow. I do not know how some kind of enquiry was not made since 1991, in fact, as to the purchase of those and from where they came. I personally believe, because I am a CNG user, that that equipment must have been dumped in Trinidad and Tobago.

So far, there were many, many promises dating back to 1991 for the use of natural gas as vehicle fuel and in truth and in fact, it is a good experiment, but somewhere along the line it had been neglected by the former regime and the present one is trying to correct a good experiment that has gone wrong.

**Sen. Gangar:** Commercially viable.

**Sen. Rev. D. Teelucksingh:** It took almost a decade. I know everybody has been talking about the new station at San Fernando; the new, efficient dispenser. It

took almost a decade for that to be introduced. What about other parts of Trinidad? This is why I am calling for a fast track of that project. It is really taking too long. It took 10 years before the whole of Trinidad could see a proper dispensing system. That is a long time.

I cannot understand why nationals must continue to suffer when NP can use taxpayers' money, as much as \$200 million, for gas station upgrade and I understand it is to feather the nest of possibly multinationals like Mobil, Shell or Texaco. They are fixing up the stations for the multinationals to come in, and here it is that they ignore their long-suffering motorists who use natural gas in their vehicles.

**11.05 a.m.**

**Sen. Gangar:** If the hon. Senator would give way, just as a matter of clarification, Mr. President, NP is not fixing any gas stations for multi-nationals to come in. The intent is that NP will retain ownership of those gas stations. I do not think that the hon. Senator should mislead this honourable House.

**Sen. Rev. D. Teelucksingh:** Thank you for the correction. It also means that the whole nation has to be corrected, not only the Senator, because there are many persons in this country who believe that it will be open to multi-nationals. I mentioned Mobil, Shell and Texaco—all the others who will be sharing in this. This is not what many of us in this country believe—or we have been made to believe. I am glad if it is a correction, we are taking it. Not only this individual, but many of us were made to believe that that \$200 million is being used to upgrade gas stations in order to make them attractive for others. Now, more people must be corrected on this.

Mr. President, I want to add another dimension to this debate today, if you will allow me. The utilization of our natural gas goes beyond the use of vehicles. Natural gas is the most important subject in our industrial development, and the monetization of natural gas goes beyond the few vehicles on the roads of Trinidad and Tobago. I feel that I must make reference to this. For the last decade and more, Mr. President, one of the most widely discussed issues in the energy sector in Trinidad and Tobago has been the monetization of our natural gas. We may well remember a previous government being severely criticized for that infamous 20-year natural gas contract with Amoco as a virtual give-away.

At present, I stand corrected, almost 90 per cent of the nation's natural gas consumed in Trinidad and Tobago is being controlled by Amoco—correct me. The last regime was reminded at its divestment of T&TEC, that the price paid by multi-national corporations for our natural gas is less than half the price paid in Europe and North America. Natural gas prices to Ispat, Nucor, Arcadian or Hyrdo-Agri are often below the cost of production.

I want to ask some pertinent questions beyond a few cents, for this very precious commodity—natural gas. Will gas pricing be subject to the whims and fancies of any particular government? You notice that I am also making reference to the previous government. Is it wise to have the National Gas Company as the sole negotiator for the purchase and sale of the nation's most sought-after natural resource? It is the most important subject in Trinidad and Tobago. It is the reason for Trinidad and Tobago's industrialization march. It is the reason for foreign investors wanting to come to Trinidad. Without natural gas, I wonder what the story would have been. It is the attraction right now. Is it wise to have some super technocrat, as we had some years ago, who is bargaining as far as the sale of our natural gas is concerned?

What about the state boards? I am talking about the state boards now.

**Mr. President:** Senator, while you can say quite a lot about the natural gas industry of Trinidad and Tobago, please bear in mind that this Motion deals with excise duty on compressed natural gas.

**Sen. Rev. D. Teelucksingh:** Thank you very much.

**Mr. President:** I know that there could be many arguments on the state of the industry itself, but would you confine yourself to the question of the excise duty on compressed natural gas.

**Sen. Rev. D. Teelucksingh:** Mr. President, thank you for your guidance. I want to make a comment with respect to the pricing of our natural gas. The Motion is about the pricing of the natural gas at the pumps. I am extremely concerned about those who purchase our natural gas in a greater volume. I am disappointed that no one from the Government's side raised, for the last few months maybe, something about this. It is a few cents for us—you have a contract with us, there is duty for us, but what about those who buy natural gas on 30-year contracts? This is my worry. This is my concern: it is for 30 years. What about duties for them? *[Interruption]*

**Sen. Gangar:** If the hon. Senator would give way, the National Gas Company has no contract in place beyond 25 years.

**Sen. Rev. Teelucksingh:** Up to 25 years. I stand corrected, that is a very long time. I know that the lifetime of the engine in my motor car is approximately three to four years. Thank you very much, hon. Minister. Mr. President, the life of my engine is two to three years, the Government makes a contract with me on this Excise Duty Motion—the Government wants to sell natural gas to me when I go to the pumps, but the Government is going to make arrangements to sell natural gas to a company that will be utilizing natural gas for 25 years. I am concerned about the duties to them. Tax holidays—seven years', 10 years', 15 years' tax holidays—endless concessions. I am very concerned about that.

I want to leave this thought with the Government, and a very serious one indeed. I think that as far as the pricing policies of natural gas are concerned, it has come in a little piece today. That is not good enough. It is too serious a matter to take an issue like that and just bring it this morning and say: "Right, we are only going to deal with that". It is too big an issue. It is too serious a matter. Whether it is this Government, or some super technocrat who is responsible for fixing the price of natural gas, I think that we need legislation immediately for the proper management of the nation's gas. It is very important. Not only at the pumps, but there are others who use it and get away. I do not want to tell myself: "Yes, we are getting it three cents cheaper and that is good". I know that it is a give-away as far as others are concerned—others who use much more than is available at the dispensing stations at present.

Mr. President, we need legislation for the proper management of the nation's natural gas supplies. All these long-term agreements regarding the use of our natural gas should be properly negotiated with full knowledge, carefully and regularly monitored by the nation's Parliament not by an individual, a committee, or a board with whom we seldom interact.

We have been talking about gas and the use of vehicles and so forth—I want to digress a bit, if you will allow me.

**11.15 a.m.**

It is not only about fuel for vehicles, but I want, Mr. President, to make a short comment about the use of the roads by these vehicles, not only by CNG users but by all the users of the roads, especially those of us motorists. There is so much

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irresponsibility on the nation's roads and highways. When one looks at pictures of accidents—I mean, our vehicles are souped up and natural gas is as good a fuel as the unleaded gasoline that we have. But when one looks at pictures of vehicles involved in accidents, they are almost beyond recognition, and this is indicative of excessive speeding. Could you imagine, Mr. President, that in seven days 14 persons have died on the nation's roads? In one week we had 14 road deaths. It is a kind of violence against the nation's users of the road—pedestrians and passengers, and that includes children.

Mr. President, with your permission I want to make an appeal to the Government, as far as this whole business of the use of the road is concerned, by making it comfortable, easy and safe for vehicle users, the owners too, motorists and others. Government is taking too long to introduce the breathalyser in Trinidad and Tobago and we need that. We need that immediately. There is too much talk about the highway patrols. I am very glad that the police service has instituted the speed traps.

I want to close with this, that there is a new toy of motorists these days and that is the cellular phone. The cellular phone will soon be a cause of concern for the nation's road users. Motorists should be debarred, Mr. President, from using cellular phones while driving on the highways. It is surely risky. It is surely risky to be punching in cell numbers, holding one's phone, concentrating on a conversation and controlling a vehicle properly with so many other drivers and so many other road users sharing those lanes with us.

Mr. President, I want to thank you because these are very, very serious matters that have been receiving my attention within the last few days. Thank you very much, Sir.

**Sen. Dr. Eric St. Cyr:** Mr. President, I have just a few very brief comments please, Sir. What I see before us is that the Treasury is giving approximately \$400,000.00 to NP and, if I am wrong on that, I would like to be set right, but in my view that is the bottom line. So far as that is being done to keep down the price of CNG, I have no problem because I believe the big issue before us is really that we get CNG into greater use, because it is environment-friendly and for that alone it is worth a subsidy. Certainly there are other fuels that I would put a penalty on, the ones that leave big trails of black smoke behind vehicles. So I am in support of the measure before us.

I would like, though, Sir, to say something about policy continuity and the implementation of our long-term policy measures. I believe that, whenever it was initiated, the move towards increasing the use of CNG is a measure that, as a nation, we all have to work towards implementing. It would not only make use of fuel but it would also increase the volume of gasoline for export, so there are wider economic implications. I believe that we should also put what has been happening in context.

In the early 1990s the economic condition in the country was such that one might well have gone for a cheaper compressor unit. Also, Sir, the technology in this area is very swiftly being updated. So the plea I would like to make is for the very competent and expert Minister of Energy and Energy Industries, with his background in this field, to really take the bull by the horns and get CNG use expanded. The initial cost of kits to motor vehicles has been one of the impediments and certainly the number of outlets, and when the economy improved during the mid 1990s, where persons were very sensitive to small savings in the early 1990s, that went by the wayside.

The simple plea I am making today is that we keep that policy steady before us, that we are substituting CNG for gasoline in our transport arrangements, and that all necessary measures to implement that policy be steadfastly pursued. I thank you, Sir.

**The Minister of Finance (Sen. The Hon. Brian Kuei Tung):** Mr. President, let me thank all Senators who have spoken, for the contributions they have made, and let me thank Senators for their indication that they will support this Motion. There really have not been too many issues raised on the Motion that I can specifically respond to.

I know that on Good Friday many Christians did the Stations of the Cross. The Leader of the Opposition took us through a number of NP stations. I am not too sure whether she intended to take us on another series of the Stations of the Cross but I do know that the Minister of Energy and Energy Industries has been able to satisfy, I believe, a number of the questions raised and I am sorry that he spoke a bit too early. It would have been better for me if he had spoken after some of the other issues had been raised but I suppose it is kind of difficult for him to gauge how many people would have spoken. He probably thought that after Sen. Montano had made his contribution the debate was going to peter out.

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To answer your question, Sen. Dr. St. Cyr, yes, you could say that NP is going to benefit to the tune of \$400,000.00 because of this. But one could look at it another way. One could have said that if it were not for this, NP would have been under pressure to raise the prices of CNG in order to compensate, based upon the formulas that had been established, in which case the price of CNG would have risen, and I do not think that is the intent of this Motion. Government wanted CNG to continue to be subsidized, as you call it, because it is a preferred fuel. It is extremely environment-friendly and it is the policy of this Government to pursue it.

I think one of the handicaps to all of this, though, is the fact that the motor car dealers do not seem bent upon importing motor cars, new cars at that in particular, with CNG-fitted tanks. Maybe the Government will continue to look—I know the Ministry of Works and Transport is actively looking at it—at encouraging motor car dealers to bring in these cars. I am not sure what sort of encouragement is needed, but we need to do a number of things—and it seems almost like a chicken and egg situation.

We cannot outfit too many stations with CNG pumps and CNG tanks because it means that one has to anticipate the return on one's investment and yet still try to encourage people and one seems to be moving in a slight dilemma where one is trying to catch up. If there are enough stations one does not have enough cars. Which comes first? Should it be that the cars come first and then the stations would come or does one put the stations and then the cars will come? So it always seems as if one is trying to go around and I think it is being moved in a direction that suggests that the momentum is going to come eventually.

We want to have more stations, as the Minister says. We had decided that, in any case, many of the stations had outlived their usefulness. They certainly were looking very shoddy. So he is taking the opportunity not just to reconfigure the stations but as well to bring in CNG tanks, and I think that policy is going to redound better for us towards the beginning of the new millennium. I am sorry Prof. Kenny is not here. I miss his contribution. I am sure he would have been on his feet talking about environment-friendly fuels and so on, so that it is a pity he has not been here for this particular debate.

I hope that we can understand in this honourable Senate the need for this Motion. I need to take it to the other place very soon. Therefore, let me end by thanking you very much for the contributions of support you have indicated and



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hope that this would continue to be one measure that will not detract from the push we want to give to CNG users. With these few words, Mr. President, I beg to move.

*Question put and agreed to.*

*Resolved:*

That the Excise Duty (Compressed Natural Gas) Order, 1999, be confirmed.

**COMPANIES (AMDT.) BILL**

*Order for second reading read.*

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

That a Bill to amend the Companies Act, 1995 be now read a second time.

Mr. President, this amending Bill is a very short one comprising of three clauses and I hope that it will not delay this honourable Chamber for very long. It is merely procedural in substance in that it seeks to give the Minister of Legal Affairs the power, by Order, to extend the date by which companies registered under the old Companies Ordinance are to apply under the 1995 Companies Act to be continued.

Clause 3 of the Bill amends section 340 of the Companies Act, 1995 by inserting a new subclause (4). The existing section 340 requires all existing companies, known as former-Act companies registered under the old Companies Ordinance, to apply within two years of the coming into force of the Act for a certificate of continuance. The effect of this new subclause (4), as I said before, is to empower the Minister to extend the deadline to apply to be continued under the new legislation.

**11.30 a.m.**

Mr. President, perhaps I can remind hon. Members of the history behind the enactment of the new Companies Act and its substantial amendment by the Companies (Amdt.) Act of 1997. As many of us may be aware, that 1995 Act was based on a Caricom model Companies Bill; that is to say, the Bill was devised by the 1970s Working Party on the Harmonization of Company Law in the Caribbean Community. That Bill, the Caricom Draft Bill, was in turn based on the Canadian Business Corporation Act of 1976. Barbados was the first Caricom nation to enact

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legislation based on that Caricom model. The equivalent Act in that country came into force on January 1, 1985.

In 1979, at the time of publication of the Carifta Working Party Report, Trinidad and Tobago's existing companies legislation, the Companies Ordinance, Chap. 31:1, had been in force since 1939. It had already been evident for some time that the 1939 ordinance based on the English Companies Act dating back to 1929, was archaic, and definitely was not working for Trinidad and Tobago. In 1989, the Government of the day appointed a working committee to look at that model Caricom Bill to come up with proposals. Within two years of 1991 it produced a new Bill which was then examined by the Legislative Review Committee of the Ministry of Legal Affairs, and came up with a final version of what was thought to be an appropriate new Companies Act for Trinidad and Tobago, in 1983. That Bill twice went to select committees of the Parliament, before a final Bill, the 1995 Companies Bill, was produced.

When that final Bill, the law of which was based on the Canadian legislative model, was ready to go to Parliament in October of 1995, it was still apparent to those knowledgeable in company law that it required substantial amendment. However, at that time it was agreed that it should be enacted and there was an undertaking given by the then Government that it would not be proclaimed until substantial amendments had been effected to that 1995 Companies Act.

During 1996, I was given the task by Cabinet together with the assistance of a committee of persons expert in the field of company law, of undertaking further work and consultations with interested parties, and the form that amendments to the 1995 Act would take. These amendments were translated into the Companies (Amdt.) Bill of 1997. The Companies (Amdt.) Bill of 1997 which was passed in both Houses of Parliament by March 21, 1997, and the Companies Act 1995, both came into operation on April 15, 1997 by Legal Notice No. 68 of 1997.

As I said before, the new Companies Act of 1995 was based on Canadian legislation of 1976 and, as such, it contained many radically different concepts of provisions for registration and administration to those in the English-derived statute. Trinidad and Tobago had, at the time, something like 25,000 registered companies, and it was therefore necessary to make provision for their registration in appropriate form under the new legislation; this was called "continuance".

The 1995 Act provided that all existing companies whether they were public, private, non-profit or externally owned, could continue to function until they were

continued pursuant to section 345(1) of the Act. They were called "former-Act companies". Section 345(1) of the Act provides:

"Every former-Act company shall, within two years of the commencement date,..."

With the exception of public companies—

"...apply to the Registrar for a certificate of continuance under this Act."

The deadline date for 'former-Act companies' with the exception of public companies is April 14, 1999.

As I said before, the Act is based on a Caricom model devised in the 1970s, which is in turn based on the Canadian Business Corporations Act. Barbados drafted legislation, had it enacted, and it came into force on January 1, 1985 with an original deadline date for continuance of two years, similar to our local Act. However, by 1990 despite the fact that Barbados had enacted and brought it into law on January 1, 1985, the Barbados Legislature had been compelled to amend the Barbadian legislation to a deadline date of six years retroactive to 1985.

What had happened is that in Barbados, which followed a similar model to Trinidad and Tobago, their deadline date which was similar to ours, was two years from the date of coming into force. Their date of coming into force was January 1, 1985, six years later. By 1990 their legislation went back to provide for an extension retroactively of six years. This gave the Barbadian companies in 1990, a further year in which to apply for continuance under their Act.

In Trinidad and Tobago there are approximately 27,000 companies incorporated under the ordinance. All of them are required to apply for continuance under the new legislation by April 14, 1999. To date, only 4,000 have applied for and were given certificates of continuance under the new legislation. This means that there are potentially 23,000 companies which could and should apply to be continued before April 14 of this year. If only 50 per cent of the remaining 23,000 companies—the difference between 27,000 and 4,000 continuing up to this time—should elect to continue, it means there are potentially 11,500 applications for continuance to be made and processed by April 14, 1999.

It should be noted that there were, in reality, three deadlines for continuance or registration under this new legislation for former-Act companies, either incorporated or registered under the former Act. There is the deadline which is the

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subject of this Bill, that is, for non-public companies to be continued by April 14, 1999. The other deadlines were April 14, 1998, for public companies to file their articles of continuance and October 14, 1998, for externally controlled, foreign incorporated companies registered under the former Act. These deadlines in 1998, April 14, and October 14, I am advised by the Registrar of Companies, have been successfully complied with by the companies concerned, and the appropriate certificates have been issued by the companies registry.

Mr. President, if all the companies required to apply for continuance by April 14 of this year, applied in the next two weeks—which is what we have left—the companies registry would be inundated and probably quite unable to cope with the volume of applications within this time-frame. Over the past 21 months applications for continuance by private and other non-public companies have increased from 59 in August 1997 to 680 in March 1999. At present the registry is well able to cope with that number of applications, but if they were doubled or trebled dramatically within the next two weeks to meet that deadline, a bottleneck would occur and the companies would be unable to get certificates of continuance to which they are entitled.

Apart from the kind of frantic flowing that can occur over the next two weeks, the Ministry of Legal Affairs has been inundated with numerous requests from members of the Law Association and official communication from the Law Association in addition to members of the Chamber of Commerce, businessmen and attorneys practising in company law, to extend the deadline date from April 14, by a further period. The suggestion was made by many of the lawyers who had originally worked on the legislation that what we should do is amend in the manner that we are now seeking to do, to give the Minister the power to extend the deadline by order.

Mr. President, it is expedient to extend this deadline for the making of applications for continuance. There are several reasons that this is so. It has been two years since April 1997 that there has been some appreciation of the complexity of many aspects of the new Act. These aspects have challenged expertise of even the most eminent and respected corporate attorneys-at-law and other professionals in Trinidad and Tobago. Considerable research is required to resolve these issues in respect of which there is little or no guidance from Canada or Barbados, countries upon whose corporate statutes our local legislation is largely based. There is very little research available, and resort to the Canadian

Legislature for guidance has proven to be futile as there are no equivalent provisions to some of ours, in the Canadian legislation.

Mr. President, some of the complex issues have to deal with rationalization of power value shares, pre-emptive rights of shareholders and share transfers. In respect to the latter, section 203(1) of the Act stipulates:

"Notwithstanding anything in the articles or by-laws of a company or in any debenture, trust deed or other contract or instrument, the company shall not register a transfer of any share or debenture of the company unless a transfer in proper form and duly signed by the transfer or..."

And accompanied by the relevant share certificates—

"...has been delivered to the company;"

These mandatory requirements are at variance with the standard forms of pre-emption provisions contained in Articles of Association of companies registered under the previous legislation, the former Act, of private companies.

Further to that, the resort to Canadian legislation for guidance has proven to be futile, there is no equivalent provision as this in their legislation. This was not an issue in the case for continuance of public companies where restrictions on transfer of shares were not allowed. It should be noted that, in addition, there has been, thus far, very little litigation with respect to the Act, so that judicial guidance is virtually non-existent.

The complexity of the legislation has undoubtedly led to legislation on the part of many companies and their professional advisors, to delay to the very last possible minute, the filing of the Articles of Continuance. This probably explains the huge increase in applications being filed at the registry, from 216 in December 1998, to almost 700 in March 1999. In addition, there have been very anxious solicitations, as I said before, on the part of lawyers, professionals and professional bodies, to the Ministry and to the Registrar of Companies, to extend the deadline.

The sheer number of companies which are eligible to be continued render it highly unlikely that they can all be continued by April 14, 1999. Further, it is my respectful view that it is in the public interest that companies be afforded the opportunity to resolve the complex issues mentioned, rather than being forced into meeting what is now clearly an unrealistic deadline date for applications for continuance.

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Thus, prior to the expiry of this deadline, Parliament is being asked to amend section 340 of the Act so as to provide for the deadline date to be extended by order. Such an amendment would be flexible to allow the Minister to determine based on the rate of applications, what the final deadline should be. Giving this kind of flexibility would allow the fixing up of a medium term date that companies do not fall back into a false sense of security about how long they have in which to resolve these difficulties.

We have, over the past month, been placing in the newspapers, advertisements and public notices advising of the deadline date, in the hope of reminding those members of the public who need to file for continuance to do so before the deadline date. As I have indicated, up till March we had only 4,000 companies complying with the requirement.

Mr. President, I want to assure hon. Senators that all efforts would be made to ensure that the extension process is not protracted unduly so that the former Act, useful as it has been, can be laid to a well-deserved and long overdue rest. To this end, I will be liaising with the Registrar of Companies to monitor the rate of compliance with the extended deadline, so that an absolute, final deadline may be determined within a matter of months.

As I close, I would like to inform all those present that the official consolidated—

**Sen. Prof. Spence:** Mr. President, may I ask a couple of questions of the Minister?

1. Is the deadline only for filing the application or for the issuance of the certificate?
2. Has this Bill passed the House already and, therefore, have we got time to pass it before April 14, and to issue your order?

**11.45 a.m.**

**Hon. K. Persad-Bissessar:** The first question as to whether it is for filing and obtaining the certificate of continuance: it is for filing the application and issuing the certificate. With respect to the second question, if I get the support of hon. Members today, we propose to have this Bill dealt with in the House of Representatives on Friday of this week, so we should be able to have the Order gazetted by next week.

**Sen. Prof. Spence:** Does it have to be assented to by Friday?

**Hon. K. Persad-Bissessar:** Yes, it has to be assented to. Mr. President, I would like to inform hon. Members that after we had completed the 1997 amendment it was so voluminous—the 1995 Act, and all the amendments done in 1997, that I had requested through Cabinet, that the entire statute be consolidated. The Law Commission was mandated by Cabinet to do that and I have been informed by Mr. Bhagowtee of the Law Commission that that official consolidation is complete and should be available for public use shortly. I trust that we would have the support of hon. Members for this simple procedural amendment. It was the feeling of some that we should wait until April 14 to see what would have happened, but that is clearly unrealistic.

As you are well aware, Mr. President, and Members are, that retroactive legislation is definitely not the way to go. We thought it best to come prior to the deadline date of the 14th. Of the 27,000 companies only 4,000 have applied. There is no way within the next two weeks, in my respectful view, that those others would come forward.

Secondly, with respect to the requests from members of the public, the law profession, accountants, those who advised the corporate sector, and members within the corporate sector itself—we have received so many calls and letters of concern indicating that because of the complexity of matters there was no way they could complete and be ready for filing in time for the deadline date.

With these words I thank hon. Members and I look forward to your comments and suggestions and, of course, your support. I thank you, Mr. President, and I beg to move.

*Question proposed.*

**Sen. Danny Montano:** Thank you, Mr. President. I rise in support of the Bill. It is not something of which I was unaware. Being in the industry I am very aware of some of the problems that have arisen. I would just like to say in passing that, over the past few years since this Act was passed the Registrar's office has worked very hard to get everyone organized and registered.

**Sen. Mohammed:** Thanks to the Registrar, Mr. Sandy.

**Sen. D. Montano:** I know that my office has received a tremendous amount of support from their office and I would like to pass on my congratulations and

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admiration to the Registrar and his staff. [*Desk thumping*] Notwithstanding that, he has an awesome task in front of him to try to register the balance of the 27,000 companies.

The Minister has given us a long history of how we have managed to reach to this point and has told us almost everything there is to know about the Companies Act except when she is going to extend the deadline to. I think some word would be appropriate.

**Mrs. Persad-Bissessar:** I did say that we would look at the rate in order to determine a final deadline date. Initially, we are looking at a six-month period.

**Sen. D. Montano:** Mr. President, that is what I was looking for. Some of us who are in the business need some kind of comfort so we can start planning. We have got only eight days until this matter is going to crystallize. At least if we are talking six months, then it is six months. I rather suspect that six months will not be adequate. I would suggest a year. I know some of the difficulties out there and a year would give everybody some breathing space within which we could sit and sort things out, rather than have everybody rushing around like crazy trying not to make mistakes. The faster one moves with these things is the more mistakes one is inclined to make. I would like to petition for, at least, a one year time-frame, but I would wait for the Minister to see what her response is. I thank you very much, Sir.

**The Minister of Legal Affairs (Hon. Kamala Persad-Bissessar):** I see that good sense prevailed in this honourable Chamber. I thank my colleague for his support for the amendment. I take your point that it may well be that it is one year, but whether we do it six months, one year, two years, there is always going to be a frantic last minute flurry to get it done.

The suggestions that came from those who advised us and helped us with drafting the legislation was for an initial six-month period. The way the amendment is framed would allow the flexibility that if it is in terms of the rate of applications, there is need for a further amendment, we would be able to monitor it. We would go with the six months and see if we can have as many come in. We would try to send out more notices and get persons to comply with the legislation.

With respect to the Companies Registry, I want to thank the hon. Senator for his very kind comments and to pay tribute to our Registrar of Companies this year, Mr. Francis Sandy, who is here in the Chamber, for his hard work in this



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regard. We have also had requests from the lawyers and those in the profession dealing with the companies for having that committee we had convened to deal with the amendments. They are requesting that we should get the committees going again to have a look at how the matter has worked over the past two years. We will be giving active consideration to reconvening that committee and looking at the legislation as it has worked in practice.

When we came with the amendments in 1997, we said that we would look at it again, because it is only when it is actually being worked and used that the difficulties are seen. The hon. Senator alluded to some of the difficulties that are being posed.

I thank the hon. Members for their support, Mr. President, and I beg to move.

*Question put and agreed to.*

*Bill accordingly read a second time.*

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

*Senate in committee.*

*Clause 1 to 3 ordered to stand part of the Bill.*

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

*Senate resumed.*

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

**11.55 a.m.**

**TRINIDAD AND TOBAGO NATIONAL STEEL ORCHESTRA BILL**

*Order for second reading read.*

**The Minister of Culture and Gender Affairs (Sen. Dr. The Hon. Daphne Phillips):** Mr. President, I beg to move,

That the Bill to establish the Trinidad and Tobago National Steel Orchestra and for matters incidental thereto, be now read a second time.

The purpose of the Bill is to establish an orchestra to be known as the Trinidad and Tobago National Steel Orchestra and a body corporate to be known as the Trinidad and Tobago National Steel Orchestra Board to manage and direct the affairs of the orchestra and for matters related thereto.

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If we go to the reasons for setting up this orchestra, by Cabinet Minute No. 1527 confirmed on June 26, 1997, the Government of Trinidad and Tobago agreed to the establishment of the Trinidad and Tobago National Steel Orchestra based on the Government's commitment to develop and promote culture in Trinidad and Tobago. Our Government is of the view that every effort should be made to promote the recognition of the steelpan as the national instrument of Trinidad and Tobago, and in so doing, contribute to its development and to that of the players themselves.

Mr. President, we envisaged that the attributes of the National Steel Orchestra should be national in scope. That is, as far as possible, it is to be representative of the national cultural mosaic that is Trinidad and Tobago. Its members should, as far as possible, be drawn from all areas of Trinidad and Tobago; and it should consist of the best talents available in the fields of pan composition, performance, tuning and arranging and conducting to ensure that the orchestra can take pride of place alongside renowned orchestras of the world.

The orchestra is required to have a varied repertoire of renditions that are tailored to meet national, religious and cultural occasions. It is required to entertain at locally held seminars and conferences which have international participation, and it is required to perform at all national celebrations and governmental functions, as well as at international conferences and concerts, and to represent Trinidad and Tobago at all overseas events at which the country is to be officially represented. On this last point, it is not meant that the National Steel Orchestra would, in any way, threaten the opportunities of other bands on international occasions. Of course, this National Steel Orchestra is to represent Trinidad and Tobago at official functions where the Government and the country is to be represented.

Mr. President, if we look at the history of formation of national steel orchestras in Trinidad and Tobago, we will note that this is not the first time that the formation of a national steel orchestra has been attempted in Trinidad and Tobago. Trinidad and Tobago started its first National Steel Orchestra in 1951. That orchestra was called the Trinidad All Steel Percussion Orchestra, or commonly known as TASPO, and was formed to demonstrate the talent of Trinidad and Tobago at the festival of Britain which took place in England in 1951. That orchestra, TASPO, was composed of 12 members who were mainly from Port of Spain and its environs, as well as from San Fernando.

Some notable names in that orchestra were Anthony Williams, Sonny Roach, Ellie Mannette, Philmore Davidson, Theo Stevens, Kenny Hart and Sterling Betancourt. That orchestra had its base at the Princess Building Grounds in Port of Spain. Funding was provided through contributions from the private sector, as well as from members of the public and from Government. The Trinidad All Steel Percussion Orchestra was short lived, since by 1952, most of its members had migrated to England following their tour in 1951. This orchestra lasted for approximately one year.

There was yet a second attempt at the formation of a national steel orchestra. Mr. President, Trinidad and Tobago was to have its second National Steel Orchestra in 1960. That band was called the National Association of Trinidad and Tobago Steelbandmen, or referred to as NATS, which became the forerunner of the present PanTrinbago. That orchestra was based at Wrightson Road in Port of Spain at the site where the Cruise Ship Complex now stands. It consisted of 40 players, among whom were Lennox Mohammed, Lennox Riley, Morrison Romeo, Glenford Sobers and Dave LeBarrie. For that orchestra, Government provided funding for the purchase of the initial instruments while the annual maintenance costs were met through a Government subvention, as well as through corporate sponsorship.

The National Association of Trinidad and Tobago Steelbandmen represented this country at the Expo '67 in Canada and at the Moral Rearmament Convention in the United States in 1969. However, although outliving the first orchestra of one year, that orchestra eventually suffered the fate of being pretty short-lived, since by 1969, most of its members had migrated either to Canada or the United States, thereby terminating the existence of the orchestra by 1969. Since 1969, no further attempt which has been brought to the national awareness has been made to form a new national steel orchestra until the present time.

In visioning and planning for our national steel orchestra this time, obviously we draw on experiences from the past to create an orchestra that would be characterized by its viability and its longevity, as well as by a high degree of training of its members so as to create an entity that would become world renowned. This is why we are preparing to legitimize the status of this attempt through an Act of Parliament. The orchestra is to be fully financed by the state, members are to be paid a salary, and there is emphasis on training, both in music literacy as well as in a range of exposures which lead to a comprehensive educational programme.

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Mr. President, we are all aware that our tradition in steelbands in Trinidad and Tobago is that players play by ear, and while it has been commendable that people who are not literate in music can play so well, our emphasis with this National Steel Orchestra is that they must be musically literate, both in theory and in practice. In several ways, therefore, this effort differs significantly from previous attempts at forming a national steel orchestra. The differences, if I may reiterate, are that we are attempting to put in place an Act of Parliament which will legitimize their status and guide the actions of the orchestra and the board. Secondly, they are to be fully financed by the state; and thirdly they will be paid a salary, and then there is our high degree of emphasis on music literacy in a wider context of training which would allow the men and women of this orchestra to present themselves anywhere in the world.

Mr. President, if we look at the recent history of our present attempt, prospective members of the Trinidad and Tobago National Steel Orchestra were presented to the public on August 31, 1998. This followed a period of almost a year since the decision was made by Cabinet, and this is, of course, because of certain problems we experienced in bringing the orchestra into place.

The orchestra is now comprised of 30 members: 24 men and six women who are seated here in the Senate today and who were selected on the basis of pre-arranged criteria. I say that these are prospective members of the orchestra. They are now engaged by the Ministry of Culture and Gender Affairs through an offer of service arrangement. The orchestra is also managed by an interim management team from the Ministry and they are also seated here.

Mr. President, members of the orchestra were selected through a process which involved the advertisement of positions in the press in November 1997, as well as the offer of selection by Pan Trinbago of at least two members of each band which was registered with Pan Trinbago. So, Pan Trinbago was given the option, through the various bands which are registered with it, to select two of the best and available players to add to those who applied through the press advertisement. This is because we wanted to get the best talents available in Trinidad and Tobago, and also, we wanted to have it expanded to those who were not themselves registered with Pan Trinbago or registered with any particular band.

**12.10 p.m.**

All applicants who applied through the press advertisements or were selected by their steelbands and possessed the required criteria were interviewed by a panel of persons. This panel comprised: Mr. Melvin Byran and Mr. Richard Forteau

both executive members of Pan Trinbago; Mr. Auburn Wiltshire and Mr. Clifford Alfred from the Ministry, and Mr. Mervyn Williams of the University of the West Indies Creative Arts Centre.

This team interviewed all applicants who were short-listed during the period July 1—22, 1998. Those who scored the highest in the interview were then auditioned by the Creative Arts Centre.

Mr. President, while only the first 24 members were presented to the public on August 31, 1998, six others were later added to the orchestra having gone through identical selection and testing procedures to attain the stipulated 30 prospective members of this orchestra. This stipulation comes out of the Cabinet decision that 30 members would initially form the membership of that orchestra.

The National Steel Orchestra is not expected, as I had indicated before, to enter into competition with other local steelbands, or to threaten the opportunities of other bands for international engagements. So the National Steel Orchestra is not expected to compete at *panorama* and other competitive events of the Pan Movement. It would function to serve clear national interests and would develop a varied repertoire appropriate to the several cultural, historical, religious, and festival or calendar events of the country.

The state has assumed a great deal of responsibility for the National Steel Orchestra. In addition to the provision for salaried members of the orchestra, the state is expected to provide for instruments, accommodation and transportation as well—certainly initially.

In relation to instruments, a full set of instruments for the 30-member orchestra was ordered from Pan Trinbago in September, 1998. Pan Trinbago was, of course, selected because it is the umbrella body of the Steelband in Trinidad and Tobago, and because of its very admirable moves to go into the production of pans and to have its own pan factory; but despite several verbal and written reminders and pleadings from the Ministry and shifting deadlines identified by Pan Trinbago's leadership, up to mid-January, 1999 no pans were delivered by Pan Trinbago, whatever the reason.

In January, 1999, the Ministry formalized a request to Lincoln Enterprises to provide pans for the National Steel Orchestra. Mr. President, I am pleased to state that within one month of that order, half of the pans ordered were formally handed over to the Ministry by Lincoln Enterprises, that is in mid-February, 1999, and the

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remainder were delivered at the end of March, 1999. I must add as well, that all pans delivered were carefully boxed, and sticks were provided in attractive velvet bags. I say all of this as it indicates the commitment of that organization.

Mr. President, it was only after the order was made to Lincoln Enterprises and Pan Trinbago was informed by letter of the fact that we were no longer interested in having pans from them, that a few pans from Pan Trinbago began to trickle in; even so, some of those were not in good condition and this, of course, I have also raised with the President of Pan Trinbago.

The National Steel Orchestra, I am proud to say, now has its full complement of pans. Accessories are still being organized between the Ministry and other sources.

In relation to accommodation which, of course, is also the responsibility of the state, while the Ministry is actively and vigorously pursuing the matter of permanent accommodation for the National Steel Orchestra, this goal has not yet been achieved. The Band is at present temporarily housed at the Paddock on the premises of the National Carnival Commission and at the Division of Culture in the Ministry in space which has been vacated by the Best Village unit which is now located within the Ministry of Social and Community Development. So while the accommodation matter is still being organized, we have accommodated the band in that kind of situation.

Mr. President, it is hoped that in collaboration with the Ministry of Public Administration which is working with us on this matter that permanent accommodation would soon be identified for them .

On the matter of transportation, the state also has a responsibility to provide transportation for the National Steel Orchestra. All the formal transportation needs of the National Steel Orchestra are being paid for by the Ministry. The orchestra is to be supplied with its own vehicle and such an arrangement is being addressed through an order for appropriate vehicles which is being handled by the Public Transport Service Corporation under the Ministry of Works and Transport.

Mr. President, we move now to performances. What have these prospective members of the National Steel Orchestra been doing over the last few months? Following its initial presentation on August 31, 1998 the orchestra performed at community functions at Caura, Point Cumana, opening of the new parliamentary term in November, 1998, Christmas concerts, several community concerts; at the

visit of the Prime Minister of India in February, 1999 and several seminars and conferences involving overseas participants.

The orchestra has also been engaging in a great degree of training. The objectives of the training programme are to develop a cadre of members who are literate in music, knowledgeable in the history and development of Trinidad and Tobago and of the steelband movement; members who are self-confident in promoting Trinidad and Tobago and the steelpan both locally and internationally and members who are aware of principles of diplomacy, social graces, among other objectives.

**Hon. Members:** Social graces?

**Sen. Dr. The Hon. D. Phillips:** Social graces, yes! Mr. President, in relation to music literacy, very early after the orientation programme, members were exposed to training in the theory of music so as to prepare them to sit the Royal School of Music Exams in November, 1998. Of the 30 prospective members of the orchestra, 11 members sat Grade I in November, 1998, nine sat Grade II, two sat Grade III and one sat Grade VI.

**12.20 p.m.**

Mr. President, I am very pleased to state that all who sat exams were successful. [*Desk thumping*] Seven of the members of the orchestra did not sit exams, but those seven are literate in music.

Practical music examinations were co-ordinated by Dr. Anne Marion Osborne of the University of the West Indies Creative Arts Centre, who was assisted by Mr. Harold Headley and Mr. Satnarine Sharma. Thirteen members of the orchestra sat Grade I in practical; 14 Grade II; and one, Grade V. Two members did not take the practical examination as they have reached levels above those areas. All examinees were successful in the Grades stated so we are very pleased that at this time, all members of the orchestra have some degree of literacy in music as evidence of having taken international examinations, particularly theory examination by the Royal School of Music.

In relation to the wider training programme on which they have embarked, it is a comprehensive training programme for members of the orchestra and this followed the orientation and music literacy programmes which are still in progress. The programme consists of several areas including the following, and I would list the areas which are still in progress as part of this comprehensive training programme.

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The areas are: protocol; history of Trinidad and Tobago; history of the steelband; ethno musicology; values on social graces; heritage studies; music appreciation; communication skills; physical and health education, and gender issues. I do have a detailed outline of all these subject areas.

Mr. President, as part of the Ministry of Culture and Gender Affairs we emphasize the importance of gender training in all aspects of our lives, especially the young men and women who are prospective members of this orchestra who are being exposed, and given the problems of gender issues in our society at all levels, we are very proud to say that our members are exposed to training in gender, as well as in value and social graces.

If I may be permitted to identify some of the subject areas under these broader areas in relation to protocol: we are looking at bureaucracy in the public service, bureaucracy in corporations—that is public bureaucracy—communication, social functions related to travel.

Under the history of Trinidad and Tobago, we are looking at colonialism; discovery; African slavery; indentureship; emancipation; post emancipation; development of carnival in the 19th Century; 20th Century carnival; 21st Century carnival problems; the rise of education; development in terms of economic and trade practices; constitutional development; the age of independence; the post independence era. These are all areas under the history of Trinidad and Tobago.

Under the history of the steelband they are looking at African customs and heritage; carnival in the 19th Century; and the emergence of the tamboo bamboo. We are looking at colonial legislation and the carnival of the 20th Century and under that, the rise of the steelband; sponsorship of the steelband; masquerade bands; tuning techniques; the steelband in terms of violence and rivalry and the steelband in terms of class distinctions and attitudes.

We are looking at the Trinidad All Steel Percussion Orchestra (TASPO) and what happened to that. Women and the steelband. TASPO, of course, you would remember is the first attempt at the national steel orchestra. We are looking at steelband and nationalism in the steelband movement for independence.

Under the area of ethno musicology, the topics here are the definition and study of music and ethnology, musical types, musical instruments, music and African religion. A look at obeah, Orisha, Baptist, and East Indian music, and European music.



Under values and social graces we are looking at definition of values, clarification of values, values from our heritage. We are looking at issues of discrimination and prejudice, and values in relation to self-management, ethnic values, African, East Indian, European and universal values. We are looking at values of dress, political values, matrimonial values, religious values, morality in dress, behaviour, language and so forth.

In the area of heritage studies we are looking at topics of African heritage traditions, East Indian heritage traditions, European heritage traditions, heritage and social changes, customs related to national days and festivals, Caribbean festivals and customs.

In music appreciation, after the definition, we have creative use of music, music and movement; music and religion; music and the emotions; music and dance; commercial use of music; copyright music; and music through the ages.

In the area of communication; the importance of grammar, the use of grammar and so forth; public speaking, which we think is important for them, oral skills in terms of extempo; oral skills in terms of the art of conversation and with these skills—voice training and non-verbal forms of communication.

Physical and health education relates to issues relating to physical health activities for the band. Under gender affairs, we are looking at relations—

**Mr. President:** Madam Minister, I would like to suspend for lunch at this stage. We would resume at 1.30 p.m.

**12.28 p.m:** *Sitting suspended.*

**1.37 p.m:** *Sitting resumed.*

**Sen. Dr. The Hon. D. Phillips:** Mr. President, I was outlining some of the conditions and, largely, the training programme to which the prospective members of the National Steel Orchestra are now being exposed.

This programme reflects the Ministry's and Government's vision for the National Steel Orchestra as a highly motivated, fully trained group of young men and women, well prepared to represent our country locally and internationally, and contribute to the creation of an orchestra which will take its place among the renowned orchestras of the world.

I would really like to congratulate prospective members who have submitted themselves fully to achieving the objectives we hold for the National Steel

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Orchestra so far. They have accommodated the training; they have been successful in the music literacy programme and they are now addressing themselves to the range of issues which have been attempted in the training programme. They have also endured some degree of discomfort in terms of accommodation and so on, but they have performed with distinction and I am very proud of them.

Mr. President, I turn to the Bill itself. As I indicated, the purpose of the Bill is to establish the Trinidad and Tobago National Steel Orchestra and a board to manage the affairs of the National Steel Orchestra. Both of these, the board and the orchestra, are established by the Bill. The Bill outlines the parameters within which the board and the orchestra are to exist and function.

Clause 4 establishes the board as a body corporate to be known as the Trinidad and Tobago National Steel Orchestra Board, while clause 5(1)(a) and (b) determine that the board be comprised of seven persons, two of whom are to be nominated by Pan Trinbago and there are four other persons with qualifications and experience in music arts; international music business; the history and development of the steelband and the commercial or marketing aspects of culture and carnival. The other member is a representative from the Ministry with responsibility for culture.

It is to be noted that selection of members to the board is to be guided by emphasis on qualifications, experience and the possession of business acumen.

I wish to divert a bit to draw your attention, Mr. President, to a recent conference which I attended in Paris, France, hosted by the Inter-American Development Bank on the theme of development and culture in which what was being explored was that culture and the arts could contribute to development. I thought this conference was very significant being hosted by the Inter-American Development Bank because, following the lead of several regions, including Latin American as well as international discussions and fora, it appears that the international financial institutions are now being persuaded, we hope successfully, to the fact that culture can contribute to development while still maintaining its unique characteristics which are inherent in various societies.

In the context of development, we refer here to the context in which it is used in the national sense, that is, in the creation of jobs; in the outlay of capital; the development of training and expertise and professionalism; the creation of profits; sustainability; the whole aspect of research and development; expansion and, of course, producing products for export while maintaining its mass base, high participation and its heritage characteristics.

This is the thrust that we hope to develop with the National Steel Orchestra. It is an agent for development and for using culture towards development.

Continuing with the Bill, Mr. President. All persons on the board must have displayed empathy for indigenous music and must hold initial appointments for a period of three years. Subclause (3) of clause 5 of the Bill details the conditions under which the President may terminate the appointment of a member of the board and those under which a member may resign, vacate office, or be replaced.

Clause 6 makes it lawful for the President to determine the remuneration and allowances of board members, while clause 7 empowers the Minister to determine maximum levels of remuneration for staff appointed by the board.

Clause 8 outlines the functions of the board which include appointment of members of the orchestra; administration of the operations of the orchestra; ensuring that relevant training is undertaken and carrying out the other objects of the orchestra.

Mr. President, clause 10(1) empowers the President to appoint the chairman of the board, while subclause (2) allows the board to elect its secretary. Subclause (3) provides that the chairman may resign only through written instrument addressed to the President.

Clause 9 authorizes the board to keep a seal in the custody of the chairman which is to be used on all relevant documents duly signed by the chairman or member authorized by the board and the secretary.

Clause 11(1) to (11) outline the procedures and meetings of the board. Subclause (5) determines that four members will constitute a quorum.

Clause 12 allows the Minister general direction of the board.

Clause 17 permits the orchestra to own real and/or personal property, while clause 18 makes the board responsible for the management and control of such property for the assets of the orchestra.

The clauses which deal with the orchestra. Clause 21 establishes the orchestra as an entity, while clause 22 indicates that the composition, the qualifications and the selection criteria of members are to be determined by the board with the approval of the Minister.

Clause 23 refers to the responsibilities or objects of the orchestra to maintain a varied and relevant repertoire suitable for a range of national events and

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situations. Subclause (2) of clause 23 lists the functions of the orchestra and among these are: to perform at local seminars and conferences which have international participation; to perform at national celebrations and state functions, as well as at regional and international concerts and at overseas events at which the country is to be officially represented.

According to clause 24, members of the orchestra are to be paid such remuneration and allowances as are approved by the Minister.

In the area of finance, clause 13(1) allows for the creation of a Steel Orchestra Fund. Subclause (2) of this clause lists six sources from which sums of money for the fund are to be drawn. They include: appropriation by Parliament; sources approved by the Minister with responsibility for finance; funds arising out of grants; revenue from performances; receipts from royalties and loans raised by the board.

Clause 14(1) to (4) outline the purposes to which the fund may be applied, including investment and investment itself must be approved by the Minister with responsibility for finance.

I now move to those areas of the Bill which identify the accounting and monitoring responsibilities.

**1.50 p.m.**

Clause 15 outlines the procedures for accounting and auditing of finances, and reporting through the Minister with responsibility for culture to Parliament. The Act will allow the Minister with responsibility for finance to write off bad debts.

Clause 16 requires the annual report to be submitted by the board at the end of each financial year, to the Minister with responsibility for culture, who will submit same to Parliament.

Clause 18 requires the board to submit a budget and financial statement to the Minister with responsibility for finance, who will lay same in Parliament. Both reports have stipulated time periods.

According to clause 19, borrowing of money for meeting obligations of the board and the orchestra, or discharging functions, can only be done with the approval of the Minister with responsibility for finance whose approval must also be sought in general or limited ways for particular transactions.

Clause 25 empowers the Minister with responsibility for culture to make such regulations as may be necessary for putting into effect the provisions of the Act, while this same section also empowers the board, with the approval of the Minister with responsibility for finance, to make regulations for controlling the financial operations of the orchestra.

Mr. President, the Bill contains 25 clauses. These are the provisions of the Bill with respect to the creation and operations of the Trinidad and Tobago National Steel Orchestra and the Trinidad and Tobago National Steel Orchestra Board. Mr. President, I beg to move. [*Desk thumping*]

*Question proposed.*

**Sen. Muhummad Shabazz:** Mr. President, this Bill deals with a very important aspect of our culture—the steelband. It is very important, because both the steelband and the steelband movement have contributed immensely to this country, not only at a national level but also at an international level. The steelband has contributed a great deal towards making Trinidad and Tobago known. The steelbands men are indeed great ambassadors for Trinidad and Tobago. [*Desk thumping*]

Mr. President, I would like to touch briefly on a great steelbands man who has passed away over the weekend. We on this side would like to share something with his family. A man who, because of his managerial skills, brought the steelband movement—he formed his own band and took the steelband into a different type of economic direction—something that will go a long way even though he has passed away. I refer to Mr. Amin Mohammed. From this side we say to his family; “We are in sympathy with you, because he has been a contributor indeed.” [*Desk thumping*]

When we look at this Bill, a number of issues raised by the Minister are well intended. The Minister wants to have a national steelband movement to take all over the country. One of the first things is that the Minister spoke with the steelband movement and Pan Trinbago as to what course of action should be taken. The Minister also spoke to Pan Trinbago about the creation of this Bill and the question of what should be done for the National Steel Orchestra. The “Consideration for the Establishment of a National Steel Orchestra” was submitted to the Minister by the national steelband body—Pan Trinbago. When one looks at the Bill, one will observe that it contains some points taken from this document. There were ongoing discussions with the Minister and Pan Trinbago. I would like

to refer to Part II, Selection of Members, which states the manner in which members would be selected and who the members were. The Minister spoke of two members of Pan Trinbago who were members in that process and they were all working together in order to ensure that this happened.

Part IV of the Bill—Role of a National Steel Orchestra—coming out of what the pan people wanted—the Orchestra would also be available to entertain at occasions of national significance, for example, seminars and conferences which have international participation.

“The Orchestra would also be available for hire to private concerns inside or outside of Trinidad and Tobago.”

I think that the word “hire” was a major word. Under clause 23(1), page 9

“(1) It shall be the responsibility of the Orchestra to maintain a varied repertoire suitable for performance at national, international, religious and other cultural events.”

I will deal with that in a while.

- “(2) The functions of the Orchestra shall be to perform and entertain at-
- (a) local seminars and conferences which have international participation;
  - (b) national celebrations and State functions as well as regional and international concerts; and
  - (c) overseas events at which the country is to be officially represented.

The important word “hire” was left out, but under Part III of this Bill, under “Finance”, we saw that revenue from performances would come. It is felt that it is important to put in the words “for hire” because we do not want to think that because the steelband is paid, they are free to perform at any function, because this issue was raised recently with respect to a competition that is carded to take place in Trinidad. It may not be so, but it was heard that the steelband was asked to perform free. When there is no national organization, and a substantial amount of money is spent to do a number of things, payment of one’s steelband should be considered. The payment of the fees may not go directly to the players, but they will receive it indirectly.

The Minister mentioned a few times that the steel orchestra would be fully financed and taken care of by the Government. If the Government is going to have

a setting where the band is required to make money, I do not think that the Government would be fully taking care of them. I think that is the reason why the Government is bringing the board and other systems into place so that the steelband would become a financial entity where the orchestra would be able to support themselves. I feel that you need to look at that and clearly explain as you go along.

Again, the whole idea was that Pan Trinbago would work with the Minister, but something went wrong. A final selection process was reached, where 75 persons were selected from which a further 60 persons would be selected. The pan people are claiming that there was another meeting; and after all the goodwill that was created with the Minister, there was a Cabinet meeting out of which it was decided that they would select persons because this National Steel Orchestra was required for independence of that particular year. The pan people, however, felt that there should be no haste; certain things should be put in place; players should be brought together and work together to be able to understand each other before the orchestra is launched. Lo and behold—it is a sad thing, maybe because it was my birthday—on June 21, the *Trinidad Guardian* stated:

“National Steel Orchestra launching Independence Day”.

Here the Minister spoke about the same things Pan Trinbago had, the people would be there.

The article also stated:

“When questioned as to Pan Trinbago’s involvement in plans for the orchestra’s establishment, Minister Mark said the pan body was not involved since Government wanted the undertaking to be as broad a base as possible.

“What we have decided to do is look for the best in Trinidad and Tobago. The board must be able to access people from all over rather than have a situation where a monopoly virtually exists. Pan Trinbago is not involved in this regard.”

### **2.00 p.m.**

Of course that was shocking to the Pan Trinbago people, because when they were questioned, Mr. President, they said, “Well, unless the plans have changed” they cannot understand Mr. Mark's statement. It was indeed a sad statement. But not only that, prior to that Pan Trinbago said somebody called the office and said, “Listen, get a pen, these are the 24 people who will form the steel orchestra”; and right away the confusion started.

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How could you now tell the national body, “These are the people who will form the steel orchestra” when we sat with you in good faith? We selected the people. We selected 75 people to be short-listed. We asked you for 50. Why did they ask for 50? Because in the beginning, if you look in the Preamble to this Bill, Mr. President, here is what was said, and the Minister confirmed that today, as to the reason for forming the steel orchestra:

“And whereas to give effect to the foregoing the Government has undertaken to establish a National Steel Orchestra the activities of which shall be national, regional and international, with the intention of enabling the steel orchestra to take its place alongside renowned orchestras of the world.”

Renowned orchestras of the world. You want a steel orchestra—and they made the point that in St. Thomas there is a symphony of 150 persons.

If we are going to do this, let us do it in a proper way. Let us have a number of people. If you are starting with 60, let us reach a point where we could have a real orchestra that will be able to compete with the renowned orchestras and symphonies of the world such as the Philharmonic Symphony and all the big symphonies. We could attain that. Let us work towards that, Mr. President. But you are now saying, “Here are 24 persons”. That was your first problem. Of those 24 persons nobody from Tobago was selected. So they said, “Well we cannot go that way. We have to have—” this is where they brought on six more including three people from Tobago, and the infighting started.

There were other problems and these are things this Government should look at. A steel mill has been set up here. The steel mill does not produce material for steel pans. As a matter of fact, when they pulled the national steel orchestra together, they sent them to Exodus. They were using Exodus’ pans. They were in their panyard. Well at some point in time Exodus could not accommodate them. To date they still do not have a home and are still looking for a home for the steel orchestra, and there are a number of young people who need to be shown a different kind of example as far as organization is concerned. But you went into all this and you did these things without even having a home, without even having the thing organized and you and the governing body got into a certain kind of war.

Let me go back just a little. The Minister talked about TASPO and said, “We tried but it did not happen”. She spoke about something that happened in the early 1950s, you know, Mr. President. The side went to Britain. When they talk about a national steel orchestra, the whole thing about the national steel orchestra was that



the best pannists in the land were being brought together, or as best as you could find in the land, to form a body that would be representative of the national culture of Trinidad and Tobago, one that could be taken anywhere to stand up against anybody.

At the time when TASPO went to Britain, going to Britain was a big thing, so a number of the players got there, they stayed out and a number of them did not come back. Any time a national steelband was formed and sent abroad, a similar thing would have happened. In the 1960s when we went to Expo, the steelband sent was one of the best playing steelbands. As a matter of fact, it was one of the biggest hits at the Expo. Again, a number of the players stayed out there and the Minister should know that it is that fact that has spawned a number of the steelbands we see all over the world. A number of these people, Mr. President, stayed out there and formed steelbands.

As a matter of fact, Andy Narrell, who is supposed to be one of the top pannists at this point in time, was trained by one of those people who had left Trinidad and stayed outside to make a different kind of life, because going to the States, to England and to Canada at that point in time was indeed a big thing. So it had nothing to do with what was happening at home with the steelband. It had nothing to do with whether the steelband people were organized or disorganized. It had to do with the fact that it was the thing to do at that time, which was to travel to foreign countries to enjoy a better life.

The steelband organizations, by coming together and taking these people outside, facilitated that happening. Maybe the times have changed, so even if you form any steel orchestra now it might be a different thing and people might believe there is a different kind of pride and a different feeling of wanting to stay in your country so that may not be the situation; but it should not be put as though something went wrong and you are forming a new steelband side now to get away from all these problems because, in truth and in fact, you would not have these problems.

What was the intent of Pan Trinbago at that point in time? Pan Trinbago talked about something like a conservatory, what they referred to as a “panservatory”, where young people would be taken in and trained in a number of different areas. Just as you talked about researching different things such as culture, writing the history of Trinidad and Tobago, you spoke about “ethnomusicology”, talking about the African and the East Indians coming

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together, and how we would look at that and see where it contributed to music; that is fine indeed. But what the steelband body was asking you at the time is, “Let us be part of this. Let us be part in a sincere way because we are a corporate body. We are accustomed to running the steelband movement. We understand it. Let us go down the road together as friends forming this thing because it is for the goodwill of our members and for all other members”.

When this was broken I spoke about, one, your question of not having material for steelpans here. I think the Government should look at that because Pan Trinbago people went to Venezuela, where they are producing the material, and brought that back to Trinidad. The thing did not work out at that time. Then they formed the pan factory. By then they had to sell off the material to make money. In talking with the Minister they had found a home at the Kirpalani warehouse. They rented a place and incurred certain financial commitments, some of which the Government had to pick up when the thing did not work out. All throughout, Pan Trinbago was indeed working with the Government, as far as everything is concerned, to establish this thing. The breakdown again came about because there were some differences somewhere over how quickly we want to get it, how many people should be involved and things like that.

In dealing with culture and arts the Minister spoke about going to a conference in Paris and how important culture and arts are to the contribution of national development. We on this side understand that very clearly. Our stand with culture and art, our history and our record would show you that we understand that very clearly, Mr. President. What is there? What is not understood in Trinidad and Tobago is that there are four main pillars on which culture is built: one, steelband; two, calypso and soca; three, the Best Village and the village olympic type of atmosphere; and four, the chutney, the pichakarree, the soca chutney. The coming together of all these art forms, which is normally referred to in Trinidad and Tobago, maybe wrongfully, as East Indian culture, is a culture brought here by the East Indian people, now becoming significant nationally because of how it has been allowed to develop.

What you have to understand is that when you are dealing with the steelband you are dealing with a history too, you know. When these young people discover the real history of steelband they will discover that we are dealing with people, Mr. President, who have been fighting for this steelband. In steelband one does not talk about it being a national thing, it is not about—African people have been

involved in steelband but it is really a national thing and I would go on to make that point and show you.

The steelband people could tell you that from the early days they fought to get pans. In the beginning, in order to get pans, it was a question of going to the “Base” and to different places. People were shot at—they are proud to tell you about this history—to get their pans. Not only that, in getting their pans there were a number of other things involved. At the dock site, down Mucurapo Road, they went and stole drums. They had to come through the whole history of pan being a noisy instrument. There is the question of, “How do we get pan to move forward?”

People’s names were called like Canon Farquhar, Lennox Pierre, people who fought to carry the pan, and they said that maybe Albert Gomes might have been one of the first patrons of pan. So the pan people have a fighting history. They really and truly do not want governments to come in too much and try to strangle them and tell them, “This is what we want and this is how you have to do it”. They want their thing to evolve in a certain way and they want the freedom in order to do that.

You talk about “ethnomusicology”. Let me show you this. In pan, Mr. President, there were some East Indians involved. When the history is studied you will see who took part in pan. Every one of them won a steelband Panorama competition. There was Jit Samaroo, nine times working with Renegades, nine Panoramas he won. From South there are the Achaibas with the Hatters Steelband. They won a Panorama competition. There were the Mohammed brothers from South who also won a Panorama competition with Guinness Cavaliers. There was the Raymond family and the same Amin Mohammed whose name I called, and there are people like Cavaliers, Amral Khan and others who went. Amral Khan wrote books. He carried pan to the furthest parts of the world and they were accepted because pan is indeed a national thing. Pan is indeed for everybody.

Pan does not take the form of some other cultures and say, “Well, look, it is not national”. Everything contributed here is a national thing and this Government must look at it in that light. You see, just to look at it a little differently, take the question of calypso and soca. We on this side say that soca may be a major art-form, when compared, even more national than the calypso because soca came from both strains—the East Indian and African strains. It was the coming together of the two major races which allowed that music to evolve from which we got

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soca. Again, how they deal with calypso and soca, their record will show. There is no need to go further into that.

We come to the Best Village, Mr. President. What has done more for this country than the Best Village? We have Norbert Fullerton. Mr. President, he produced the Dimanche Gras seven times. He came out of the Best Village. We have the dancers, the artistes and various other persons who emerged from the Best Village, but what is happening now with Best Village? I understand on Tuesday they are going to launch the Best Village. An election year is coming up.

They are going to bring the Prime Minister into town, have the thing moving from Woodford Square to Port of Spain and say, “Yes we are giving”—I think they want to give \$500,000.00 to something that was run with \$1.2 million. But we set it up and allowed it to evolve. Coming out of that were all the people you could think about. The main players in culture and the arts in Trinidad and Tobago came out of that Best Village and they stopped the programme last year.

I do not want to say why they stopped it because the reasoning may sound a bit—but they stopped it for a reason that we cannot understand to date. They probably were not getting the kind of political mileage out of it that they expected, so maybe they stopped it for that reason, but I do not know why. But when we look at the great names that came out of Best Village, there are people like Peter London who is dancing with Alvin Ailey, other names like Tan Tan and Jeffrey Carter, all these people came out of Best Village.

We also have the steelband movement. When one looks at the type of people the steelband movement has produced—as a matter of fact, you know, we were jokingly saying here today that if “Boogsie” wanted to join the national steel orchestra, because he does not have any papers in music he might not be allowed to join: funny. You have to understand what this culture involves. You have to understand that people became geniuses because they could stand up and play that pan at age eight, age seven and age nine without even having any musical knowledge. That is the important thing.

They on that side cannot talk about developing culture when in truth and in fact they seem not to understand, Mr. President, what culture in Trinidad and Tobago is all about. Do not try to make the culture what you want it to be because if you take the time to talk with people and allow them to grow and fashion themselves, the culture would normally evolve into what it should become, and that is what we want you to understand. In your position with Pan Trinbago this is

where we want you to go. Give them room. Listen to them. Understand that they have been bringing the points to you and do not just make the thing political so we have a national steelband and that is it.

**2.15 p.m.**

Mr. President, this hon. Minister is trying to make us believe that this National Steelband would not be competing with other bands for work. What about our Panorama winners or our classical music winners, the Music Festival winners? Normally people send to this Government to ask for a steelband. You are now going to be sending the National Steel Orchestra—as long as there is one, they deserve it—to all these festivals. You are not going to take a side from the national festival. You are no longer going to be bargaining for the national steelband or for the Panorama winners. You are going to write that off, yet you are saying that the National Steelband would not compete with other steelbands.

You are saying that people will not be able to call this orchestra and say, "Listen, we want you to play for free here," because the fees they may charge, really, which is in keeping with a symphony orchestra, they are not willing to pay. What are you going to tell all these steelbands throughout the country at all national or international occasions? Are you going to say, "We are not looking towards you, and Pan Trinbago will have to take you away?" Would it not, at some point in time, come up with some kind of problem that you would have to deal with further down the road?

As a matter of fact, I can safely say that we on this side believe that maybe what we should have is a national youth steel orchestra. Maybe you should bring the youths in, train them in different things, have them move forward, and take these beautiful young people we have here to the world as a national youth steel orchestra, and still keep all the bigger orchestras. Mr. President, had the Senator gone about it that way, had she continued discussions and not be railroaded by the other people around her, that would have been the thing to help these youths. Train them in all the social graces and in the things you want, have them going nice and looking well. [*Interruption*] Maybe that is the way it should have been done.

I know that social graces will have to deal with etiquette. I look forward to the day and I hope that when they are selecting the other members of the orchestra—just as the Minister and the Board have selected people from Tobago—that the number of good pannists that I know, young pannists that are Rastafari like myself

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would be selected for the National Steelband at some point in time. [*Laughter*] They laugh as though it is a big joke and we should not want to see that, but I hope again, and I want to make that point very strongly, that I would see it reflected in this National Steel Orchestra as they increase the numbers.

**Sen. Cabrera:** That is Jamaican culture.

**Sen. M. Shabazz:** You are a joker. [*Desk thumping*]

Mr. President, there are certain other things that we need to see happening. The steelband movement has been made a lot of promises. They have some lands at Williams Bay that they are paying a Water and Sewerage Authority Bill for the longest while. I ask the Minister to help them to look into that and to help them evolve. There are other things they spoke about. Just before Carnival at the launching of the pan factory prize distribution, they were promised their moneys; help Pan Trinbago to get their money so that they can carry their movement. Whatever differences you may have with them, help Pan Trinbago to evolve in a much greater way than is being done.

Another point I would like to touch on is, when Pan Trinbago send their information to this group, they said that members should be drawn from all regions of Trinidad and Tobago, and the best talent available in the field of tuning, arranging and conducting should be recruited to ensure the orchestra takes pride alongside the best orchestras in the world. The people to be brought in must be compatible with music harmony, and the orchestra must include in its range of instruments, both African and East Indian percussion instruments. It is an important thing to note too, because if we are going to take a national youth orchestra we need to let them understand that we not only want them to beat the normal things on pan, but also to use pan to deal with the other art-forms in the land, and try to blend it together to bring something coming from Trinidad and Tobago that will be different from what we find coming from any other part of the world.

They talked about the time when Winnifred Atwell came here with the pan, ivory and steel concert. As a matter of fact, Tassa is now a major part of steelband. A lot of steelband music is now incorporating Tassa into it. The steelband movement has helped to give Tassa the international recognition that it is getting. It is because of the association—it is something that is happening worldwide. Let us incorporate steelband music with other things, because this is the National Steelband; we recognize that.

We on this side have always done—regardless of what people may say—a number of things to help carry this culture forward. The Minister is now talking about what culture would do, but we know how great culture is for the upliftment of this country and the role that it plays. We are asking again to let it evolve; let people be creative. They may become a national symphony. We want all of that, but we want them to do it in a creative way, in a way that would be unique to Trinidad and Tobago. When we go to market it to the world, we would not just be marketing something that everybody else has seen, but something that people would be able to say, "Yes, there goes Trinidad and Tobago." Because the pan man has played a very important role in that.

Mr. President, we want to see these people talk all the music literacy, diplomacy, public speaking, self-presentation, and the history of the steelband, but we also want them to be very good pannists so they could go out there, represent Trinidad and Tobago and better place us on the map; continue in that tradition of their elders, the people who came, fought and died for the pan people of this country. Let them know that history so that they would go out with their fighting spirit and not just be cloned into something else just because they are getting paid and employed by the Government.

On that note, I would really like to say at this point—whether we are going to support them or whatever; the whole thing may be, yes, there should be a national steel orchestra—that we want them to get back into dialogue with Pan Trinbago. I want to tell you this before I sit, Mr. President. Pan Trinbago did not even know about this Bill coming here today, because there was no dialogue with them. Pan Trinbago told us that they did not even know they had two members on the board up to when we spoke to them this morning; it was when they saw the Bill that they understood that. The chaos continues because Pan Trinbago is not even sure whether it would send two members to that board. They do not know how things would go. I could say that emphatically, and I am sure it is that way. Pan Trinbago at this point does not even know what their stand is.

So I feel that even before this Government asks us to approve this Bill, it should go back and set up dialogue with Pan Trinbago—forget the article with Sen. Wade Mark—and let us get this thing in harmony, so that when we send a band outside to represent all of us in Trinidad and Tobago we would be proud of it.

**Sen. Joan Yuille-Williams:** Mr. President, thank you for the opportunity to speak at this point. I recognize that I saw no other hands so you will forgive us for this.

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I first join my colleagues in also expressing my condolences to the Mohammed family, members of Exodus and the steelband fraternity in general. I also wish to recognize the presence here this afternoon of members of Pan Trinbago and the prospective members—I am told—of the National Steel Orchestra with their managers.

I want to say at the very outset that I am one of those persons like the rest of us on this side, truly interested in the development of the culture. The kind of comments I will make, some which had been expressed by both the hon. Minister and my colleague, Sen. Shabazz, I hope you will permit me, if in my presentation I may refer to some of those things already spoken about, because they are very close to us and need to be said, and I would wish for the opportunity to say them.

First of all, I will deal with this Bill as it comes to us here. When I saw in the Bill that the Government was committed to development and promoting of the culture of Trinidad and Tobago, I want to say quite openly—and although I love the steelpan myself, I am very interested in it—we know what the culture means and what goes with it, and that the steelband is just one aspect of it, and we saw the need to recognize it. We know that the development of this National Steel Orchestra would not satisfy that commitment, and having it placed there in promoting the culture of Trinidad and Tobago we need to look at that very closely and do we not think that by so doing we would have gone to developing the culture of Trinidad and Tobago. As Sen. Shabbazz reiterated there are a number of areas of the culture that need to be developed.

The second observation I would like to make is in the Bill, and having one concern with this during the last administration, I would like to see the pan as the national musical instrument. I would like to see the word musical go into it, because there could be a difference when you leave that word out from national instrument and national musical instrument. I think that is what it is and I would prefer that we could write it that way, "the national musical instrument".

The third aspect is in the preamble to this Bill. I really want to read it because the Minister read it very proudly this morning. I want to make a slight observation on it. It states:

"to establish a National Steel Orchestra the activities of which shall be national, regional and international, with the intention of enabling the steel orchestra to take its place alongside renowned orchestras of the world:"



I think she said that several times:

"enabling the steel orchestra to take its place alongside renowned orchestras of the world:"

Mr. President, the steel orchestra has already taken its place among the renowned orchestras of the world. I think we need to get that very clear. [*Desk thumping*] What we are doing here is not enabling the steel orchestra to take its place at all, we have already taken our place, and I think we should be very happy about that.

The hon. Minister went back to TASPO. TASPO started it all, and I just want to read from Fido Blake's book, *The Trinidad and Tobago Steelpan History and Evolution* by F. Blake. This was in 1951, we were in London's South Bank Exhibition grounds. TASPO travelled by boat to England and they stopped off at a number of ports. By the time they got to England the drums were rusty.

"At the first sight of the rusty pans—and rusty they must have been after the long sea voyage—the reaction of the curious crowd was polite but doubtful that such 'instruments' could produce music of high quality."

That was first observation.

"But their doubts were not for long. '...jaws dropped and eyes widened as the first sweet notes were struck and the band swung into 'Mambo Jambo' By the time the story of TASPO's performance reached the newspapers, the writer was enthusing over the performance in an article liberally sprinkled with such phrases as 'first class', 'wonderfully skilled playing' and virtuoso jazz'. The ice had been broken."

In 1951 we took our place among the world's best, and I think we need never to be too humble and never to feel that we are coming from behind at this time. The other islands are now coming from behind. We are out there out front and, therefore, we need to think what we should be doing now.

If I may, I really wanted to, and the Minister did call the names, and I feel I would be doing an injustice simply because when you listen to the names of those pannists and you hear about National Steelband something comes to your mind about the calibre and the level of the person selected, with due respect to all we have here.

Remember that 11 members were selected, and in this case selection was done one from each band because at that time there was a friction among steelbands so that the best way to bring them together was to take one from each band. That was the method of selection. I am not advocating that now, but that is what was done for this first national steel orchestra.

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**2.30 p.m**

I will read the names:

Theo Stephens	Southern All Stars
Belgrave Bonaparte	Southern Symphony
Andrew de la Bastide	Hill 60
Philmore "Boots" Davidson	Syncopators—Quarry Street
Ormand "Patsy" Haynes	Casablanca
Winston "Spree" Simon	Tokyo
Dudley Smith	Rising Sun—Belmont
Ellie Mannette	Invaders—Woodbrook
Sterling Betancourt	Crossfire—St. James
Granville Sealey	Tripoli—St. James
Anthony Williams	North Stars—St. James.

When one hears those names one almost wants to bow in respect for these members of the First National steel orchestra. That should tell you something about the level of performance of the people who have made this orchestra. We have to think about it.

The Minister did say something—I am sorry to refer to it—in that it did not survive'. This survived the length of time it was supposed to. It was selected to make that tour. Forget whether people returned. They were not to be there for 10 years. The West Indies Cricket Team, we select them all the time. The Trinidad and Tobago National Football Team, we select them and bring them in. We have been missing the point; these people were not there for life. They were the best for the time in this area and we selected them. They went out there, performed, did what they had to do for us. Some came back, some did not come back and since then we have been picking more.

We had the band which went to the Expo '67. It is called 'Second National Steelpan of Trinidad and Tobago—Montreal Canada Expo 67'. This time the selection was the best we had at the time. It is nice to hear their names. This started from different bands, and for the record I wish to read all the names of these people, with your permission, Sir.

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Herman Collin	Sun Valley
Sylvester Garcia	Nu Tones
Dave La Barrie	Nu Trin Playboys
Rafi Regis	Sun Downers
I know him very well.	
Morson Romeo	Tobago All Stars
Bobby Mohammed	Guinness Cavaliers
The names will tell you something.	
Michael Alleyne	
Carlyle Jordan	All Stars
Elton John	City Syncopators
Gordon Barrow	Scherzando
Randolph St. Louis	Renegades
Bethram Kelman	Maestros
David Edwards	Gale Star Tenor
Lennox Harewood	San Juan All Stars
Steve Regis	Sun Downers
Glenford Sobers	Tropical Angel-Harps
Roderick Toussaint	City Kids
Clunis Clarke	Katzenjammers

Some of the persons who had been following the steelband at that time, years after some of their names are still familiar to you, because they have made a name for themselves.

When we talk today about the Guinness Cavaliers and Edmond Khan, there was Bobby Mohammed, a member of the Second National Steelband and they survived. I went to Australia and I met Guinness in Australia. They might not have survived as this unit, but that was for a time. They were to visit the Expo and if you see the beautiful pictures, they were all dressed with their national ties and crest. They were selected from among the best to represent this country abroad.

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Let me just take one other band and pay tribute to the panorama winners—Desperados. In 1981 they went to London and visited 15 cities. They were at Carnegie Hall. They played their festival piece at New York with the New York Pop Orchestra. They went to San Francisco at the Oval Cultural Centre. They played at the Apollo. Look at the place. They played among the best percussionists in the world! We are there already, nothing is to enable us to get there. We are there and we want to stay there.

Look at Liam Teague from south—world class. I do not want to say I take objection, I really did not like—“with the intention of enabling the steel orchestra to take its place among the renowned orchestras of the world”. Desperados went to Barbados to play with Pavarotti. I think something happened with the timing that they were there, but they have been doing it, and doing it very successfully and we have been respected for it.

I want to say also at this time that when we talk about the National Steel Orchestra in the area I have just pointed out, we had one type of selection. We talked about the best we had, and I cannot say why it is that when we are talking in terms of that, we are not talking about selecting the best—with due respect to those we have present this evening, and I have a role for them as well.

We have had opportunities for it. I do not see a national steel orchestra—to be quite honest—playing for some of the places that the Minister called out this evening—Cumana—some of the places they went—wherever it is; I cannot remember.

**Sen. Shabazz:** They went to a wedding.

**Sen. J. Yuille-Williams:** Not to a wedding, they went to a wedding a long time ago. There were some places that were called. I do not see the National Steel Orchestra playing at the opening of little things all around the country at all. Therefore, if that was the objective, when you put an advertisement on the paper do you think people of calibre will want to come forward to go into that? No. Why did our best pannists not respond to the advertisement—I know Curtis Edwards and some of them left—because that is not their idea of a national steel orchestra. A national steel orchestra is not to play in the rotunda here for us.

I went to Tobago for Champs in Concert. That was the first time I heard the school steelpan winners because I did not have the time here. I heard the Pan School play at Champs in Concert. When I listened to them—if you have a national steel orchestra of a certain calibre—I am talking about there, that you

have to bring them here, or send them to play for COTT opening, or to play for this or somebody, that is not what a national steel orchestra is all about. We have got it wrong. As far as I am concerned, we have Panorama, the Steelband Music Festival. If the Government wants they could have a National Steelband Festival every year if they wish and out of this they could pick their best in several ways.

They could either send their winning bands out to work for you, because our bands are of a high standard. You want to have a national steel orchestra and you have a band playing better—with due respect to the people I have here. Or you want to have a national steel orchestra that is of the highest standard. You could send your band out to represent you, and when you send your band out—let me say—if you are talking “culture” send a package. Send more than just the band, send a calypsonian, dancer, and let that package move around exposing the culture of Trinidad and Tobago.

You should send your top bands. You could pick them from Panorama, the Steelband Music Festival or you can have a special selection. When you want to have a national steel orchestra these people will be prepared for it.

Yesterday I was reading about Flabej. Flabej is another steelband with which we had some influence before. Flabej is going to play at Branson, Missouri. It is the fourth year they are going to this World Fest. They have had some difficulty because the manager says that one of the difficulties they have had was getting released from their jobs. This is part of what I could see happening as a Government where we could step in and assist these bands because this is a legitimate tour where they are going to represent—unofficially—Trinidad, at the Branson Music Festival. It is on the *Newsday* of Monday 5th—she was saying that she is hoping that they could get some support from Parliament to assist. This is what I am saying. These are the ways in which we can assist these individual bands. Flabej is a good band. This is the fourth tour they are making and they are going out there for Trinidad and Tobago.

We have sent School Steel Orchestras to Scotland and other places and they have done a good job. What I am saying, if you need a national steel orchestra to make a tour, even to promote your trade, or whatever it is, select the best—in whatever form you want to do it—get permission for them as a Government project, get a package together and send that team out there. That is where I see the National Steel Orchestra.

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When I read this, there is no way I am happy. So many pages in this document were discussing the Board's remuneration and how the Board will be established. Just three or four items to the back mentioned the establishment of the steel orchestra itself. I was so disappointed, because that seems to be an afterthought—the establishment of the orchestra—just six clauses or so here. All this is the Board, who would manage it, how it is going to be managed. Thirty people are here and I could count eleven people already in place, and more will come on. All that is not necessary for me.

When I looked at this, and I looked at the finance, I am saying when you have your National Steel Orchestra—I am not putting that in place—The National Steel Orchestra is not an orchestra I would say I want to fulfill Government engagements here, there, and everywhere within Trinidad. I did not have that in my mind at all. I know most of it is for international events and when we take them out they easily could be pulled together to get the selections that you want. These people are very talented.

I am all for trading in music and all that, but I want to tell you—Sen. Shabazz went into it—that if the criteria for being on a national steel orchestra are those which you have here, you are really going to have to start from now for the next 10 years to put that together. I am wondering what is going to happen in that time.

Not because I cannot read music we are going to start with the young ones—but there is a magic, you know and the world wonders about the magic of these people who could produce the best classical music and they could not read music. I am not saying you must not give people the opportunity.

#### **2.40 p.m.**

Not because someone is not literate in music he cannot make, in my terms, a national steelband. I am saying that some of our best pannists cannot read music, and I am also saying that there is a magic that goes with that oil drum. In fact, the magic goes with bringing the music out of the drum and with the memory that these people have that they can learn certain things just by ear.

Another thing about the national steelband is that no national steelband is permanent, or for 20 years. Not at all! People should come and go in that national steelband, and it all depends on the skills they have when they go for the auditions or when they have been selected. When one selects a national steelband—I am talking about people at the level which they want to go—before they leave, there can be some sessions during which one would work with them on certain aspects

of Trinidad and Tobago, but remember, these players are out there to play music. That is their first commitment to the band.

Therefore, do not be worried if a particular pannist does not know the whole history of Trinidad and Tobago, or the whole history of the steelband. Do not worry about that, because there will be managers and other supporting people who will go along with the steelband. I have been there already. I was the manager of a touring team and I knew my role; I knew what I had to do; I knew the kind of public relations I had to do. So, they should not get worried about something like that. I said that there could be a structure and the people accompanying the team could fulfil the engagement.

I am not seeing the people on the national steelband who go out there as being very permanent. In any case, with the kind of salary that they will be paid, it will not be possible for some of them to remain with the band for all that time. Therefore, where do I see this whole thing going? Is there any room for some kind of organization coming from the Government in terms of this? I thought that there could be.

My colleague, Sen. Shabazz, struck a note that I wanted to strike today. We talk about culture and development, and I know, Mr. President, in the Ministry of Culture and Gender Affairs, at this point, they should be looking at developing all the art-forms—steelband being one of them. We start by developing with the young people. That is where they should position themselves—for the youth. As Sen. Shabazz said, this afternoon we should be going through this Bill establishing a youth steel orchestra. I am all for that! [*Desk thumping*] The members could range from ages 17 to 25. I give it my fullest. It is not the first time. There are youth orchestras worldwide. We could always look at what has happened in other parts of the world.

I looked at the National Youth Orchestra of Wales and they talked about the flowering of the musical talent. There was a Festival Programme in 1999 for national orchestras and they saw the National Youth Orchestra of Wales as a superb training ground for young Welsh talent. Thousands of past and present young players have been recruited from every part of Wales. Many of the very best of them have made outstanding professional careers as performers and music teachers. If we concentrate on that 17—25 age group for a national youth orchestra, at the end of their stay—and their stay is not permanent; there is nothing here about longevity. If they stay for two years, at the end of it, there

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could be performers, and there could be music teachers and even conductors coming out of it. [*Desk thumping*] They should stay for two years and the Government should work with them and give them the best in terms of the managers, conductors or the music teachers who work with them.

At the end of that two years, the National Youth Orchestra could be taken on a tour. So, it could be done biennially. They would know that they are working towards that and they could be taken on tour with other artistes to advertise Trinidad and Tobago. They could then come back home and would then be free to go to all the other bands where they could meet the “Boogsies” and the “Ken Philmores”. Some of them could then get selection to the national steelband. We would then be proud to see how they would be contributing to the development of the steelband. To just take this and say they are going to put them there and keep them there for auld lang syne, that is not going to help Trinidad and Tobago at all.

I noticed that there is something called the ARYO, the American Russian Youth Orchestra. It is a combination of American and Russian youth; a cross-culture. They talked about the international recognition as musical ambassadorship and a world class training orchestra of rising stars for musicians, conductors and composers. They also said that they have tours every two years. The Government would have done this country proud if they had used this opportunity to do that for the young people. They could have the open auditions and choose a new group to go as the orchestra for that two years.

From where will our young people come? This place is flowering with musicians. We have the Steelband Musical Festival, the Pan Minors, and if we continue the Pan in Schools project we started with the primary schools, we would have a number of young people every two years coming forth for auditions and we would select them and keep them for just two years.

Down the line, I am sure the Government would be proud if when we start to read the names of people on the National Steel Orchestra later on, we hear the names of some of those who came through this kind of organization. They would be very proud because we would have done something to develop the culture. I am talking about developing the culture—starting with the steelband—but I am also saying that as funds come forward, they could also do it for other areas of art. This is not the only area.

I still say, although the Minister tried to comfort my fears, that when I talked about competing, even with the youth orchestra, we could compete with the other



bands, and that is not the sole purpose. They are in there for two years to learn all they can about the steelpan so that at the end of it they would have been established to go on tour. I do not see them coming out and doing anything that I have suggested in this document here. The document mentions going out there and putting on performances for revenue. I am not happy about that at all. We have so many steelbands around this country. Leave it to them. They need to get out there and make some money too. People are going to be always calling for the national steelband. Leave the other bands of high calibre to go out there! Why are they trying to take over?

If there is a national steel orchestra, even though the pan body talked about it, I am saying that they could be defeating the whole purpose. If they put this down, it means that will be barring some of our good bands from exposure. We have all these champions every year. Before, we used to send our Panorama winners abroad. We need to find opportunities to reward them because they have excelled. If one was to go to the AIS school in Australia to do sports, when one comes out, one is able to join the national team, but while one is there, one is part of a training process. While these youths are here, they are part of a training process.

I understand that they want to have a varied repertoire, but not so that they will take part in every religious and every cultural event in this country. There are good steelbands everywhere! The prospective members of the National Steel Orchestra all came from good steelbands that are doing very well. Allow the pan to flourish! Do not try to hinder it by taking this group and putting them everywhere.

My first contention is that we do not need a national steelband in this form. I think a senior national steelband could be selected in several ways from those in the established bands. There are several good bands and there are several ways of bringing them together. It has been done before. They are not there for life. We have world class netball here and we had a world class team, but that did not mean they had to stay there. If we had to go on a tour the next year we could have trials again to see if anybody else who was good came up and we would put them on the team and change the others. We have got to do that. This grouping, as I said, is strictly youth. That is what I will support at this time.

There are some people who had concerns about the group; about how long they would stay and what kind of contracts they would have. To me, that is not really important. I really do not want to hear about what contracts they are being

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given. I do not feel that they are going to stay here until they have become top class and then say that we have a national steelband of Trinidad and Tobago and all that time we are looking to stay where we are. What set us wrong was the fact that we thought that we were enabling people to stay among the best in the world and we forgot that we already have the best in the world right here! What we are going to try to do is develop what we have and ensure that we have the best coming through, and in years to come, as they change around, there will be more great talent coming up. Some of them could go back to the bands and help them with the music, conducting and arranging.

The Minister spoke about one other thing: the curriculum. I am not a curriculum advisor for pan, but I was a curriculum engineer myself, and I really wish we could look at that again before we decide to make that the course. I feel we may have to go to the university to assist us. The Creative Arts Centre and PanTrinbago could put their heads together to see whether we are getting the correct thing, because somewhere along the line, we are losing our focus.

I heard the range of things they said. Some of those things are incidental. They will come in as we look at the whole thing. I have heard a number of small things going on and I wondered what sort of curriculum engineer worked on it. Probably I might be wrong. As I said, I am not an engineer for curriculum for the pan, but as I listened to it, there are certain things that struck me over and over again that came through—the fundamentals. Yes, there are other things. If there is somebody for two years with them in addition to the theory and practice for the pan itself, they could have other elective courses which we consider necessary. We have to look at that and see how much of it is there and whether or not we did not go too far to one extreme.

The people who are coming in are not without some substance and they have some capabilities. I heard the words “social graces” a few times. I know what is meant there, but I do not think we want to shoot out that we have to teach them social graces all the time. It tells me that again, we are not focusing on how we are seeing them, and subtly, we are doing certain things. I think we need to look at those areas because that is really important to me.

**2.55 p.m.**

When I look at what the board is doing, they are looking to raise loans and get receipts from royalties—no! First of all that is too top heavy, and of course the remuneration of the members of the board is part of it. I hope the Sports and

Culture Fund Act which is doing some of it—the remuneration of the members of the board; principal and interest on loans; all those things we are losing the focus. We do not have it. This is not what we want. We are looking at the structure too much.

I noticed that Pan Trinbago has two and then I saw four for others who displayed an empathy in indigenous music and so forth. Well, I think Pan Trinbago members would have brought that to the table.

History and development of the steelband: we have many books; We can do that at one time. We can just look at one film and I think even that time involved in the study of that area is too much.

In fact, I want to know why we have this huge board. The things that this board is supposed to do I do not think they should be doing at all. I really feel that we are losing the focus and as I said before, I am all for the Youth Orchestra. I have to read copies of the minutes sent to the Minister. Too much time is spent in all these administrative matters, and that is why I was disappointed when I saw Part IV, Establishment of the Orchestra, consisting of just four clauses which is the meat of this matter, and it does not tell me anything about the establishment of the orchestra. It only talks about appointments to the board et cetera. So there is a focus on the board and that is where part of the problem comes in.

At this time there are many problems with the National Organization which controls steelbands and the Ministry is dealing with the Board. They are focusing too much on it. There is also a problem with participants. Yes! Because something is wrong there; the selection process is wrong. In fact, as far as I am concerned we are selecting for the wrong thing and we miss getting the people that we want. Therefore, Mr. President, the Ministry will have to take years to give birth to a national steel orchestra that would see the likes of Boogsie, Betancourt and Regis—years to do it.

In the meantime what happens? These people need to get out there and there are good arrangers out there. If we send them out with the techniques they have acquired to work with their bands we will be surprised and happy to see what will come out of it. I am a part of the pan movement; I consider myself an integral part of it. This alone will not do it.

In addition to the National Youth Orchestra, there was a project called ‘Pan in Schools’. We went to schools and ordered pans and some schools had pans delivered to them. It was not easy to get the teachers to work in this project. We

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went to the Creative Arts Centre, in order to get trained teachers who were graduating with music to see if we can put them in different schools, so that probably one teacher may control one or more schools. It was a pilot project that was beginning to develop. We started with the primary schools and there were one or two Junior Secondary Schools. We need to carry that through. We need to start with the primary schools and the secondary schools. It happens all over the Caribbean. We were in St. Lucia and they had one of their primary school teams playing for us and we were a little embarrassed.

We need to start that. Yes, the schools come together at carnival time through the sponsorship of some of the senior steelbands but we need to provide them with pans and let that project go through. One cannot talk about developing and have only one focus like a little baby you are nursing alone. You cannot leave the rest of the family. That is only one aspect of it. There are hundreds out there we need to take care of in some form. So we need to spread it out to the wider community.

There are many corporate citizens who support the pan. I know the Pan Minors were there at some time. That should be continued and we should give whatever assistance we can so that we can have that growth. We need to give the pan movement money at all times especially money which is owed to them—the Minister has left.

I was the Minister with responsibility for that area of culture and I know that there was \$7 million which was left for the pan movement and that money was supposed to be given to them.

Let me state quite clearly, when we got into office, I looked at the Cabinet Note which authorized that the money be given to them and the Cabinet note stated that the steelband movement, Pan Trinbago, had to send forward their projects and as long as it was approved the money was to be handed to them. We would be very dishonest if we do not hand over that money [*Desk thumping*].

I remember the first thing we went through was an investment company which is now called 'Panvesco'. They had a project and we helped them put it together as best as they could and it was brought forward. It was approved by the Cabinet and they got \$3 million for Panvesco, their own investment company, so that when carnival and other times come around steelbands could go to their own investment company and get a loan which they would repay without the necessary security which they would not get in a bank and this was contributing to their development. The money was left for them; that is operational and bands borrow

money every year. They have to borrow because the money that comes from the Government takes a long time to be given to them. Now the opportunity to borrow is there.

Then they were given \$500,000 for doing a piece of work on the development of the steelband. The outline was given and it was approved and they received \$3.5 million. There was money left there for a panyard project, which was very important. If, since the Government came into office, they had given the money for the panyard project they would not be out there without a home and might have been able to use one of the panyards. [*Desk thumping*].

NIPDEC had done an outline on panyards and a selection was made. You need not have kept that selection, you could have changed for others. But, the fact remains the panyard project is there and they need to get the money for the panyard project.

We need to refer to the Cabinet Note. The money was in the Central Bank. I understand it was found and it could not have been lost. If it was \$7 million and we took out \$3.5 million, the remainder I understand is nearly \$8—9 million because of the interest over the years, so Pan Trinbago has money. I will not suggest just to hand the money, but give it for particular projects for which the Cabinet Note says it was designed.

In fact, what is happening now, is that somebody decides that they are not paying it. At one time the Government wanted to take that money to run carnival and some other matters. That money was given for a particular purpose and I urge the Government, this afternoon, to honour what has been left for a group. [*Desk thumping*] There is no way you can get out of it. Listen, I hope you do not take any of that money for the development of the National Steel Orchestra, because it was not for that purpose. This is money you are putting aside. But if one is talking about steelband and is interested in its development, one would not feel it too much to give money which is already there.

The money did not have to come from the Minister's budget this year; the money is there earning interest. I hope it is still there, I cannot see anybody taking it. I think the Prime Minister or some other person is in control of it. We found it there and took \$3.5 million and left the rest and, therefore, it is important that the money which belongs to Pan Trinbago is taken out.

There is something else I want to talk about in terms of the pan movement. At least all of us wanted to congratulate Desperadoes on winning *Panorama* this year

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and all the bands which participated; also Pan Trinbago for the work they had done. They made carnival.

During the time that I was Minister, we built several community centres all over the country from a loan grant. Unfortunately, some of these centres are now called 'regional centres' and even the village councils within the area cannot go in the community centres again. It is a way to kill the village council movement which you do not want. That is one of your strategies. It is a sad day for us in this country since the village councils are for the people. It is for all of us, the people in the community need their village councils so do not try to kill them. They have been there working and that is why we built these community centres.

**3.05 p.m.**

Plaisance Park had its own community centre which was dilapidated and we built a new one. Now it is considered as a Regional Centre for all the villages even as far as Claxton Bay which has one and the people of Plaisance Park do not have the priority to get into the centre. It is a sad day.

We decided to build a Pan Theatre on the Laventille Hill in recognition of the contribution to music that came from the hill. It is the only one around the world, I always boast and say so. Some parts have been taken out, because I knew we had room for vendors at the bottom of the structure. I went up there during carnival and there it stood like a white elephant, closed and Desperadoes was out in the yard. Over a year or more that building has been closed and no one could tell us why they would not open this building to allow people to use it. Why close a facility like that? It costs \$7—8 million and it is closed and you are telling me you like pan. You do not really like pan. If you really like pan you would open the facility.

Part of the project of Laventille Hill was to rebuild that road so it would give easier access to people, and NIPDEC had identified a car park near the bottom so there would not be all these cars travelling up the hill. They would park there and there would be a shuttle service going up. When you are talking about dreams, Minister for Laventille, talk about these dreams, not birds being washed away, talk about solid dreams for Laventille. We would have done that hill, and fixed the roads nicely. We were doing—

**Sen. Cabrera:** Mr. President, I rise on a point of order. I wish to direct your attention to the fact that the Senator is drifting away from the matter which is before us.

**Mr. President:** I would allow the Senator to continue.

**Sen. J. Yuille-Williams:** Mr. President, we are on the steelband and we are talking about the development of the steelband, the National Steel Orchestra which went abroad and made Trinidad and Tobago proud. We are talking about giving back to the people from where the music came, a facility and I am saying that the facility is closed and I am only telling those who do not know what was the history of that facility.

People are very busy in Laventille and I am putting in a plea that as you go up to Laventille to do what has to be done, if the road leading to that facility is fixed, and the rails are fixed then the place can be opened up to tourists. Do you know how often we can have the shuttle service going there with tourists to hear the music?

I am trying to put everything into a packet; we are not seeing after just one area. I have no comment or criticisms for the Minister, I am just telling her what was left there. I am saying that we do not focus on one area, but bring to bear a total package because if we say we like the pan and we are developing it, I am just highlighting some of the other things which can be done to fulfil that aim.

Mr. President, this afternoon I am here liking the pan as you do, but liking the culture also and I am going to advise you that whenever you send the pan on tour to send other aspects of the culture along with it, just as David Bereaux was used as an old time calypsonian with Flabej. They liked him because he brought much of the calypsoes together. I remember when I was in Spain at one of their festivals, Skiffle Bunch was in Malaysia with singers and dancers and presented a nice package. I am just saying all that needs to be done is to broaden your definition of culture.

**Mr. President:** The speaking time of the hon. Senator has expired.

*Motion made,* That the hon. Senator's speaking time be extended by 15 minutes. [*Sen. N. Mohammed*]

*Question put and agreed to.*

**Sen. J. Yuille-Williams:** Thank you very much. In closing, where are we today? I am saying, therefore, that at this time if we want to do the best for the development for the National Steel Orchestra, I would suggest that this Bill to establish the Trinidad and Tobago Youth Steel Orchestra should have persons between the ages of 17—25. I would also suggest a planned tour at the end of the two years. They would be a hit out there, have no fear about it.

Continue to select national steel orchestras made up of persons who are renowned in several ways. I am also saying to make it unnecessary for the band to compete with other steel orchestras. They should not go out there for money

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because they are being sponsored by the Government. There are covenants and so forth. Do not go out to functions, leave the functions for the other bands. We ought to look at the curriculum, look at the board which is managing the entity, I am not too happy with the emphasis where the board is more important than the steelband or players themselves.

The Ministry of Culture has a role to play because part of the work which is done is the development of culture. I remember when they were talking about a National Cultural Commission and taking all the festivals off to the National Cultural Commission somebody said we do not need a Ministry of Culture again and I said, of course, that is where we are going to develop it, that is where our cultural officers would go out and teach. The Ministry has a role to play.

If you take the festivals out of the Ministry and put them in a cultural commission that is fine. I know that in the Ministry of Culture itself, there are a number of cultural officers in different areas whose business is to go out there and teach and develop the culture so it could be spread as much as possible. I am saying even with this steel orchestra, where is the Ministry of Culture? I really do not think they should take it off to what I would consider to be a private entity. I do not know if it is private or not; it falls somewhere between private and Government. I am not too sure where it is and that is why there are so many problems.

Mr. President, as I close, I am hoping that the relationship between the steelband body and the Ministry—I do not know how good it is, it does not seem to be as good as it should be, but it is necessary—and not only the steelband body, but any of the cultural associations, need to have that rapport with the Ministry. I had a good relationship with them over the years, but the organization itself stands for organizing the steelbands in Trinidad and Tobago and there are many of them.

I also want to say that we look at some of our unsponsored steelbands because sponsorship of a steelband is very difficult and I have seen some very good unsponsored steelbands. I know we used to have a fund and from which we give every year a small amount to unsponsored steelbands and I would like to see that being done again.

I remember Kitchener when he talked about the Toco band and its strength physically and musically. We are very strong and we need to understand that musically we are very strong and we must never forget it. The music has taken us all over this world and we intend to let it continue to take us.

In closing, I wish to say thanks for the opportunity to make my contribution. I know that the Government really has a majority in this Senate, and I hope that it



would take time to think and rethink its position because we are not doing this to criticize, but to support the Minister in what she is doing. I know it is an extremely difficult ministry. She is dealing with all types of artistes, it is not easy. Everybody is coming with their own perspective and ideas and this Orchestra is probably an idea she would like to have come to fruition, which I would not say no to, but fit it in a different mould.

When I look at the people here I see there are quite a few young ones so I am not too far off target that you could get your 17—25 age group, but one of the things we have to clarify is how long they are staying there. I would like the Minister to look at that as she reviews the entire Bill.

Thank you.

**Sen. Prof. Kenneth Ramchand:** Mr. President, I have a brief contribution. I begin by congratulating the Government on bringing to Parliament this Bill to establish a National Steel Orchestra and recognize the steelband as the national musical instrument of Trinidad and Tobago. Whatever course the debate may take, whatever changes may be made, I think the fact that the Government has brought this Bill and is proposing to establish a National Steel Orchestra, and it is formally in Parliament recognizing the steelpan as the national music instrument of Trinidad and Tobago is of importance. I feel whatever the outcome of the debate that this is a move for which the Government needs to be congratulated strongly.

Mr. President, I have some questions about the actual provisions. Although by and by, it will be clear that I do not really agree with establishing the orchestra in the form that it is proposed, I would still like to pose the questions since I am not sure there will be any changes made to the Government's and if no changes are going to be made, there are some questions on this decision to which I would like to have answers.

The first is—just to wonder aloud—why is so much time spent in the Bill on describing the establishment and functions of the board, and so little on the actual steel orchestra?

Secondly, concerning the contracts for the players—I am sure it has been decided—but I would like to know for how long these contracts will be given and whether they are renewable. What are the terms and conditions for the renewal of contracts? Are there conditions relating to the dismissal of members who fail to develop or who are not doing the job for which they have been paid?

I would like to know how the National Steel Orchestra would relate to the other steel orchestras in the island. I would like to know if they would compete at Panorama, and if not, why not? Public functions and duties are being given to the National Steel Orchestra, I would like to know whether any provision is going to be made for the sharing of those functions with the winner of the Panorama competition. It usually is the case that the winner of the Panorama is regarded for that year, or for a period or so, as in practice the National Steel Orchestra. I think if they would be deprived of that kind of opportunity and recognition, the establishment of the National Steel Orchestra might be doing more harm than it intends to do.

There are other questions like: how long will it be before there is a centre for the performing arts that would house the National Steel Orchestra and how long would it be before there is a School of Music devoted not only to music for the pan and its additional pan music, but the other kinds of music in the island?

**3.20 p.m.**

I know that all governments talk about future developments and I am certain that this Government is thinking about that, so I want to pin them down and take a great deal of comfort from one of the clauses in the Bill, at Part III, under “Finance”, clause 14(2) where we are told that:

“The Board may create reserve funds out of which money may be expended for the establishment of academic, technical or vocational grants or for such other charitable or benevolent purposes as may, in the opinion of the Board be beneficial to or...”

“...[for] the financing of projects for future expansion.”

There is a missing “for” in the last subclause there which I have inserted—for:

“...the financing of projects for future expansion.”

I could use that clause as a way of saying that the Government fully intends to do a number of things, including a school of music; including academic courses; including making some sort of contract with the steel mill; including the encouragement of the manufacture of pans, *et cetera*. There is no reason why the board, which is responsible for the National Steel Orchestra, cannot direct investment into areas that are ancillary to the work that is being done for the orchestra. They might even want to consider assisting the recording industry.

But, if that is an implicit intention, then I would very much like to hear the Government say it is not implicit, say that it is explicit, and that it intends to relate the development of the National Steel Orchestra to a number of other ancillary and supporting activities.

But, Mr. President, as I have already intimated, I am not sure that this is the way to go. I would like to see a National Steel Orchestra, but I would go along with Sen. Shabazz and Sen. Yuille-Williams that we should really establish a National Youth Orchestra and I will come to the reason by degrees.

Mr. President, what cricket is to the whole of the West Indies, calypso and pan are to Trinidad and Tobago. If cricket is what we rally round as the West Indies, calypso and pan are how we make and remake our history as Trinidadians. [*Desk thumping*] Calypso and pan are how we reshape our culture and redefine our sensibility; calypso and pan are how we inscribe and re-inscribe ourselves in the world; calypso and pan are our cultural self-expression.

But, Mr. President, the question arises: What is the culture? Culture is not a static, fixed and established thing; culture is dynamic; it is evolving; it is growing; it is including lots of other things. The hon. Minister of Finance is not here but he did ask me earlier if I have any quotations today. I do not have any quotations but I have certain references and I would like to speak a bit about a very famous novel written about 15 years ago which raises the kinds of questions I want to raise.

The novel is called *The Dragon Can't Dance* and this novel is famous for celebrating what is called the "Creole culture". Calypso, steelband, carnival, that Trinity. Many critics, overseas and here, have read the book and recognized that is what Lovelace is celebrating. But he is, also, with the title *The Dragon Can't Dance*, saying that something has happened to carnival, to calypso and steelband, and the things that have happened make it very difficult for the dragon to dance.

In a sense, the dragon does not even want to dance and what the book laments is the prising apart of the carnival, the steelband and the calypso from communities, and the centralization of these things, their commodification, their orchestration into a pageant for tourists. And yet, the hero in the book who recognizes this, knows that they could never quite do that, that this Trinity is so deeply rooted in the society that even though we grumble about what is going on, the whole complex of activities around carnival still remains the gut and the soul of people. That is the kind of discussion that has taken place about Lovelace's book.

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But, one day shortly after it came out, I was looking at it again, and I realized that Lovelace was saying something else about the culture, which is that the culture is not static and, secondly, that you cannot divorce the culture from the rest of the society, that the pan, the calypso and the carnival are part of a whole complex process of social formation and you cannot just pull it out for display like that.

In the third chapter of that book, he introduces a character called the “outsider”. In the middle of this community, this Laventille community, that has a steelband, a mas’ band and so forth, he brings an Indian fella called Pariag from the cane fields, and Pariag is saying he is tired of the cane fields and he wants to be part of larger Trinidad. He was coming up to live in Laventille. Well, poor Pariag. Like many Indians who wanted to be Trini in those days, he was jerking his waist more viciously than anybody else; his dialect was broader than anybody else. He wanted to cuss more than anybody else just to prove he is a Trini. He went by the fellas and wanted to play pan and they would not let him play pan.

So, for three or four years, Pariag struggled and fought in vain. But he grew over the period and, in the end, he realized he had been making a terrible mistake. He had been looking at the culture and he had been looking at the music and coming to it saying, “Ah want to play.” What he should have said was that his name was Pariag; he came from Newlands; he played the sitar and he wanted to play in the orchestra. And when he started to play in the orchestra, the orchestra would affect how he played his sitar. And how he played his sitar was going to affect how the orchestra was playing.

About 15 years later, we know about “Pantar”. It is as though Mungal Patassar read that novel and decided, “Boy, we have to start doing some fusion”. As if the people of the country had read the novel and said, “We have to do some fusion”. But the fusion is taking place for itself; nobody said to fuse. We cannot engineer culture. It is taking place. It is part of Lovelace’s sensitivity and intelligence as a novelist and as a thinker on the nature of our culture that he articulates the necessity for the Creole culture to see itself as a dynamic, ever-growing thing open to influences. That is what Pariag is saying: “I wish I had gone and said, ‘I am Pariag; I am from Newlands; make room; give me the doh, re, me; I am playing my sitar in here now and all yuh have to ketch and I have to ketch’.” It is the same thing that David Rudder is talking about in the Ganges and the Nile.

I look forward to a day when we will have a National Steel Orchestra which will reflect the diversity of our people, the diversity of our musical forms, the

diversity of our instruments and the varied functions, whether religious or secular, that music plays in our culture and our society.

So, how do we work towards a time when we will have a national steel orchestra that reflects the diversity of our people, the diversity of our musical forms and the varied functions, religious and secular, of music in our culture and society? Sen. Shabazz spoke at length on this subject.

Mr. President, talking about establishing a national steel orchestra is also talking about defining the nation, discovering the nation and discovering what is the national culture. We are not forming a national steel orchestra to take our place among the orchestras of the world. We are recognizing the function that music plays in nation-building and in formation of a culture. That is the significance of the formation of a national steel orchestra.

We already have the creature called the “real Trinidadian” who is a product of all these fusions. I am so proud to belong to a nation that has Trinidadian people, not white West Indian, or African, or Indian, or Chinese, but Trinidadian people like Brian Lara, like Peter Minshall, like David Rudder, like Jit Samaroo, like Vidia Naipaul, like Pat Bishop. These are Trinidadian people and they breathe in all the streams that flow in our society. They are the product of the meeting of cultures and people. They are the vanguard. They are what the Trinidadian of the future is going to be and the National Steel Orchestra can be a catalyst in the creation of such people.

Many rivers flow into this land. That is what David Rudder says. He also says—because we are not just saying foolishly and rashly as Pariag was saying, “All ah we is one; I eh bringing anything; ah just jumping into this.” We are not just saying “all ah we is one”, we are saying, “We will celebrate that you are you; we will celebrate that I am I, but we will also celebrate our meeting.”

That song or poem is convinced that this society will only be liberated from the politicians and the chauvinists who enslave and divide us, if we recognize our identity as the product of the flowing together of many rivers, if we recognize it as our high destiny to be that kind of people in the world.

So, the National Steel Orchestra is not to take its place alongside renowned orchestras all over the world, it has something much more important to do, to play its part in the birth of consciousness and in the evolution, transcendence and flight of a society. I think that the way to do that is to go for the National Youth Orchestra.

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We take our young people who are not infected by our folly and greed and lust for power, our young people who are not stained by our consciousness of race, ethnicity and all that warring foolishness; we need to take these young people and place them at the centre of the creative movements of our time, which is where they really are already. I would put my faith in a National Youth Orchestra's ability to absorb all the music of our country and translate that into the music of the pan.

It is a great future for the pan, the pan which grew up in a certain way with a certain kind of music. People say that we have to write more music for the pan. You do not have to write more music for the pan. The music for the pan is writing itself [*Desk thumping*] It is there, and our young people are hearing it. They are singing it, and they can play it. I am glad that they are getting formal training with respect to reading and writing music. They are learning about and from other musics all over the world. Their job, which is one of nation building, is how to recreate and re-infuse with all the life that is being despised, neglected and peripheralized, how to recreate and re-infuse the music of Trinidad and Tobago.

There are certain practical advantages. I do not want to go too far in this, but we talk about youth violence, urban violence. We talk about young people with no ambition, inspiration and role models. Mr. President, very often the tourists help you to see your country better. For the last three or four years, I have been taking students from American universities to visit Orisha shrines, Hindu temples, panyards and so on, and one thing that has struck me about the panyards is, if one visits the panyard at 3 o'clock a lot of school children can be seen, sitting there waiting for a chance to play the pan. Even though they will only get 10 minutes to play, they line up and wait. When the elder pan men arrive at the panyards, they are treated with much respect. Whenever they are given the opportunity to play the pan, they are keen to play. Although they may have to take "buff" again and again, they continue to try. Whenever these young children are playing the pan, one cannot help but wish to live one's life all over again and also play the pan.

Those children who are dumped in the Junior Secondary Schools and about whom we say that they do not have any ambition, skill or tenacity, that they do not show any respect but only stab, shoot, kick, fight and take marijuana—those children are being maligned; the talk about their worthlessness is not true. They are children who need to be given the space to find themselves and develop their skills. [*Desk thumping*] A national youth orchestra would be there as a model for them.

Sen. Yuille-Williams spoke about the panyard projects—there are many of us who look at these panyards and know that those same children who can be found at the panyard could be taught arithmetic, story telling, drawing right there. Those panyards which exist in communities can be a base for an educational and cultural project. It is not happening. People may shake their heads and say that they are doing it, but it is not being done. All that I am saying, Mr. President, is that I welcome the move to establish a National Steel Orchestra, and I congratulate the Government even more on allowing us to come to the Parliament and talk about the implications of this, giving us a chance to try and relate this to the larger and other problems of the society. If this is a listening government, I hope that it will pay careful attention to the suggestions that are coming about the implications of this movement and the possibilities of a national youth orchestra. I thank you, Mr. President. [*Desk thumping*].

**Sen. Nafeesa Mohammed:** Thank you very much, Mr. President. This afternoon, I feel very privileged to be able to participate in this debate which is of so much significance in terms of the cultural development of our country. I would like to endorse the comments made by Sen. Prof. Ramchand, and indeed my own two colleagues, Sen. Shabazz and Sen. Joan Yuille-Williams—in fact, after listening to Sen. Joan Yuille-Williams I thought it was the Minister of Culture speaking. She spoke with such authority, as she indicated that she is part of the pan movement. I hope that the Government would be kind enough and generous in terms of the cultural development of our country, to take note of the very significant points that Sen. Yuille-Williams and others have made in this debate so far. [*Desk thumping*]

I know the hon. Minister of Culture and Gender Affairs can be generous, and I have that confidence in her that she will take note of some of the suggestions that are being made, especially in the context of setting up a national youth steel orchestra for Trinidad and Tobago. Whilst we can congratulate the Government for bringing a Bill in Parliament to establish a steel orchestra, some of the implications that have been raised are indeed very serious and significant.

As I listened to Sen. Prof. Ramchand's contribution, I was hoping that he would have attempted to give a definition of the word "culture". Because, in Trinidad and Tobago, we know that we are a multi-cultural, multi-ethnic, multi-religious society. But, very often I wonder if we can truly define the word "culture". For some people culture means religion alone, but I have heard a very

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basic definition of culture over the years of my life. It is recorded in a particular document. Culture has been defined as the way we live, the food we eat, the clothes we wear, the music we listen to, the songs we sing, the language we speak, the religion we practise and we can go on and on.

When we look at the preamble to this Bill, at page 5, of the actual Bill, it is stated in the first paragraph:

“WHEREAS the Government of the Republic of Trinidad and Tobago is committed to developing and promoting the culture of Trinidad and Tobago.”

When the hon. Minister was making her presentation, she spoke about the plans to establish this National Steel Orchestra. She made specific reference to a training programme and she highlighted some aspects of the training programme syllabus. My colleague, Sen. Joan. Yuille-Williams, made some comments about the actual syllabus, but I, too, would just like to refresh out memories with some of the areas that were highlighted. The Minister was very generous indeed, to allow me to have a look at her document which really has an outline of this training programme syllabus. I see here a heading “Protocol” which has several sub-headings: “Bureaucracy”, “Public Government Service” *et cetera*; then “History of Trinidad and Tobago”, and it goes into colonization, discovery, African slavery, indentureship, emancipation, post emancipation *et cetera*.

Some time ago, I remembered seeing a book, it is a collection of essays that is entitled “Structural Adjustment”. I think that the hon. Minister of Culture may very well be familiar with this particular document. It may have been a production of the Ansa McAl department at the University of the West Indies. I do not have that book with me now, but I know for a fact that, there is a paper written by Dr. John Le Guerre where he attempted an analysis of our cultural evolution in Trinidad and Tobago. I think it is important for us to take note of this evolution because it affects us in so many areas of our lives as human beings, as citizens of Trinidad and Tobago and especially in terms of the politics of the country. Our culture and the evolution of our culture has a significant impact on the present political realities that are confronting us today in our society.

**3.45 p.m**

If I may, I would like to refer to a couple of the points made in that essay by Dr. John Le Guerre. He made the point that for a number of years we were basically a colonial society. We know that the majority of the population are descendants from the times of slavery and indentureship and of course we had the colonial masters. In terms of the evolution of our culture, whilst in the respective



communities, particularly amongst the African community and the East Indian community, there were cultural activities existing at different levels and at varying levels at that too, in terms of a national kind of cultural activity, there was a leaning more towards the colonial way of life, the colonial type of music and what have you.

Then in 1962 we gained our independence and with that independence movement there developed a certain kind of nationalism amongst us. We know of the origins of carnival in our country and we know of the development of calypso, and the steelband has been around for such a long time. Within the East Indian community, what happened in those days was a practice of East Indian culture that involved an imitation of films brought from India. So it was in the 1960s, with our independence and that growing sense of nationalism, there developed a kind of vacuum in the society.

Many of us would recall the events of 1970. All these events were referred to in Dr. Le Guerre's thesis which, to me, makes a lot of sense. So it was that there developed a kind of competition, particularly amongst the two major racial groups in our society. It was that kind of vacuum, and if I may say so, I am speaking with some amount of exposure in this field, which led in 1970 to the programme that still exists today on television known as "Mastana Bahar". That programme was very, very influential in bringing about a kind of awareness and development of our culture with a typically Trinidadian flavour.

Many of us would know about Sundar Popo. Sundar Popo is the composer of the song *Nanna and Nanny* and I feel, Mr. President, it is important to put this on the record. Some people may disagree with what I am saying but these are historical facts that are there for all to see. In 1975 there was an offshoot of Mastana Bahar called the "Mastana Bahar Cultural Pageant". I remember the uproar that was created at the commencement of this pageant, which was a type of contest programme; it consisted of a dance contest, a local song contest, a contest that was designed to stimulate the composition of songs, with a little flavouring of Hindi but with a Trinidadian flavour in it, representing the kind of nationalistic issues of the day.

In those early days that pageant used to be started with a performance by the Ambakaila Dance Group and a performance by the Jit Samaroo Steel Orchestra. That went on for a couple of years, but in those days there was a lot of resistance to that kind of cultural fusion which was taking place. [*Interruption*]. The

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resistance came from some of the same people who are very much associated with you all. I would not want to go into that issue now.

Mr. President, the fact of the matter is at that time the complaint was that this was “creolising” or “carnivalising” Indian culture in Trinidad and Tobago. The records are there. There are articles that have been written and published in the newspapers by some of these critics. Today some of these same persons are at the forefront of the promotion of culture and they are now recognizing the significance of having that kind of cultural fusion resulting in an evolution of our culture into something of which, as Trinidadians and Tobagonians, we can be proud. There was a lot of resistance.

Then in the 1980s, Mr. President, there developed what is known as the chutney phenomenon. The newspaper reports are there for all to see the kind of controversy created as to whether we should have chutney or not. That phenomenon developed as a result of the Indian Cultural Pageant and a specific category involving chutney being introduced. In the 1980s and leading into the 1990s there was that kind of fusion taking place in terms of our music, in terms of our song, in terms of our dance, and in the 1990s there was the advent of, I think it was, *Radio 103 FM*, the first East Indian radio station.

There was, therefore, a cultural Renaissance taking place within the East Indian community. For a number of years this kind of cultural Renaissance was manifesting itself as well in the politics of the day. This is just my analysis of the situation, hence the events of the latter part of 1995 which we are now experiencing. But, Mr. President, the fact of the matter is that, as Sen. Prof. Ramchand and others have said, there is much that can be said and many benefits that can be derived from the fusion of our music, our songs and our dance.

In terms of our cultural development, if we are truly committed to the development of culture in Trinidad and Tobago as my colleague Sen. Shabazz said, we need to let it happen, we need to let it evolve. Do not try to impose your will on the situation. The state should be more of a facilitator, at all times recognizing that there can be unity in our diversity. So it is, Mr. President, in terms of the development of pan and the establishment of a national steel orchestra in Trinidad and Tobago, insofar as that is concerned, I know my colleague Sen. Joan Yulle-Williams made mention of several names of persons who have been involved in the field over the years.

I want to make specific mention today of the activities of a gentleman, a private citizen of Trinidad and Tobago, who has been more of a cultural ambassador to this country for a number of years, in the 1960s and the 1970s. I refer to the man called “Amral Khan”. I was browsing through his book. His book is one which will be found in the Parliament library and in about six or seven chapters of this book there are references to the activities of the Guinness Cavalier group. Mr. Amral Khan was, in fact, the manager who took that group with Bobby Mohammed. They were the ones who were able to take pan throughout the world; to Canada, to North America, to Europe and to Australia, and I was amazed to see some of the references here.

If I may, I would quickly like to mention some of the headlines from newspapers from other parts of the world. They have here “Cavaliers make big impact on US river show”. What interested me, Mr. President, was that the Arts Council of South Australia Incorporated commended this group. They referred to the performances of the band in Australia and how they broke down the place with the songs *Matilda* and *Fire Fire*—what—*In your wire*; wherever it was. Mr. President, I remember that song as a little child. Now I can appreciate the true meaning of the words. But there was another interesting part here.

Listen to this.

“Warriors Pan!”

Pan has been used to soothe the tempers...”

**Mr. President:** Could you please state the page from which you are quoting?

**Sen. N. Mohammed:** I do apologize. Thank you very much, Mr. President. I am quoting from page 251 of the book *The Saga of Amral Khan*. It is a book published in 1994. In this little clipping here that is published in the book, it refers to a clipping from one of our local newspapers.

“Pan has been used to soothe the tempers of warriors on the war front.

Word reaching the *Punch* is that a steelband was taken into the war zone between Malaysia and Thailand to entertain jungle-fighting troops of the Malaysian army.”

Maybe we need to send some of our panmen elsewhere to bring some peace.

Mr. President, this book is really, really full of information and I think that we must recognize the efforts of these persons who, single-handedly, have been

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promoting our culture abroad. Over the years of their involvement they have done a tremendous amount of work, not just in Trinidad and Tobago but internationally, in the promotion of our culture in taking pan to so many parts of the world. Even in the Middle East; I was amazed to see pan in Kuwait and the kind of reception they got here. Steelbands have performed in India, in Japan, in Singapore, all over the world. We must say hats off to the pioneering efforts of these persons who have been involved in the development of our culture over the years, some of whom have also gone on to another world.

I join my colleagues in expressing condolences to the family of the deceased Mr. Mohammed.

Mr. President, as we talk about developing our culture, I would also like to wind up my contribution by making a special appeal. It is really very unfortunate that seemingly we may have missed the boat, and I hope it is not too late. It is unfortunate that we have gone ahead and committed ourselves to a very big project in this country that will cost a lot of money. It is unfortunate because this could have been an opportunity if we had only put the infrastructure in place and set up a truly national cultural centre and then have the event that is due to take place in this country, I think in May month. Then we would have all been satisfied that we would have been gaining some long-term benefits from hosting the Miss Universe Pageant in Trinidad and Tobago.

I am making this appeal and I hope that one day in Trinidad and Tobago we can all be proud of having a national cultural centre. Because, Mr. President, you would recall that about two years ago when we were in this Chamber debating the Intellectual Property package of legislation and there was a debate involving our cultural activities, reference was made to a report of a study done by TIDCO on our entertainment industry and it is a fact that the entertainment industry in this country has tremendous potential to earn revenue for us.

I know of so many hundreds, if not thousands, of artistes in this country who depend, not just here in Trinidad and Tobago, on travelling abroad and performing by playing music, dancing and singing, in order to make a living and earn an income and they are all cultural ambassadors for our country, Trinidad and Tobago. We need to really, really focus some attention to the very, very, very lucrative potential that exists within our culture in Trinidad and Tobago and to do whatever we can to stimulate and facilitate real cultural development in our country.

**4.00 p.m.**

Mr. President, I would just like to endorse the comments made by my colleagues, Sen. Shabazz and Sen. Yuille-Williams, in terms of our position on the Bill. The suggestion has been made that the Bill be amended to read the Trinidad and Tobago National Youth Steel Orchestra. There are several other areas of concerns that have been raised, in particular Sen. Yuille-Williams made mention of stipulating the age at which persons can be members of this orchestra.

I would like to suggest—and in a short while I am sure that some amendments would be circulated—but just for the record, and to indicate that perhaps the Minister may wish to look at clause 22 as a possible clause that could be amended to include a further subclause (3), which would stipulate the age at which persons can be members of the steel orchestra, and a further amendment that would stipulate the fact that they can only be members for a period of two years. It is a very simple, straightforward kind of amendment. In that way you will be able to accommodate all the various views that have been expressed and be able to arrive at the compromise position in dealing with an aspect of our culture that is so critical and that needs encouragement, in a way that would redound to the long-term benefit of our country.

Mr. President, I thank you.

**Sen. Dr. Eastlyn Mc Kenzie:** Mr. President, I just want to make a few comments. I congratulate the hon. Minister for trying to fulfil an obligation she gave in the budget speech some time ago, when we decided that there would be a national steel orchestra. I think it was in trying to fulfil this promise that was made, that this brave attempt was made.

When I looked at the Bill I remembered some years ago there was national discussion on a national youth service. I do not know how many people remember that, there was talk of a national youth service, where the young people of our nation would have been exposed to different disciplines of life in a sort of very structured and organized fashion. I remember the idea was sold all over the country. I looked at this youth orchestra—I still call it that—as part of that national service.

I also remember that some months ago the hon. Member of Parliament for Tobago East, Dr. The Hon. Morgan Job, brought to Tobago the National Youth Orchestra; young people of the nation playing violins, trombones and so forth.

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What a sight it was and what beauty; it was lovely. This caused me to wonder whether the same structure we are advocating in this Bill is the structure that pertains to that national youth orchestra. Is there a board, an age limit, is there this or that, a time that they serve there and then get out? I do not know, but I do know that we have a counterpart of the steelband in other musical instruments, and I would like to hear what we have.

Mr. President, I support this disciplined approach because I know from being a performer in another aspect of the arts myself, it is one of the most disciplined areas of life you can find. Any artiste who is good would have suffered the "boofs", the late nights, the rehearsals. I remember in my drama days, one actress with me, having to tie a tie 50 times to get it right. I am sure that these young people would have had to go through rehearsals and do it over, and get "boof" and do it over. It shows their resilience and everything else. So I would like to commend them, they are the pioneers in a national type of organization.

The pity is, that what we are doing now is what I believe we should have done before. [*Desk thumping*] We should have had this discussion before. Let us all be honest, we are big people, we are not children, and I started off by commending very highly the hon. Minister for trying to fulfil a promise that was made. Because we are the very people who would get up and say, "In the 1997, or 1996 or 1998 budget you said you would have organized a national steel orchestra where is it?" In an attempt to fulfil a promise that was made in the budget, I believe we have gone too fast. I think that what we are doing now is what we should have done before, and ironed out, given ideas, suggestions, experiences, and read and criticized and everything else in such a humane, nice and decent way.

So I want to make a recommendation or two. I recommend that these young people we have here, who saw an advertisement, responded, came out without even having any structured thing in place as to whether they would be paid, those from Tobago, where they would sleep—they committed themselves and they came forward—be the core of a national youth steel orchestra, [*Desk thumping*] whether they are 17—25, 35 or 45 I could not care less, they must be the core. So I am suggesting that they be kept in place. In fact, we must congratulate them, let us give them a round of applause. [*Desk thumping*] They responded and this is the type of encouragement that we want to have.

We are saying to the young people, "My dear young people, we congratulate you for responding; we know you are brave, we want to tell you that the trust and

confidence that you have in the advertisement we put out and you responded to, we want you to keep that confidence in us; and so we are not going to fail you, we are going to have you, we are going to keep you; we appreciate what you have done so far, and we, as adults, have recognized that we have made a mistake, we are going to correct our mistake."

So, Mr. President, I continue with my suggestion that we keep them as a core, that we go back to the drawing board, we keep them going with all the criticisms, suggestions, the support, the advice, the research, whatever we have; get it right, come back to the Parliament and put the thing in place properly. [*Desk thumping*]

That does not mean a good start was not made. It is only that we mixed the signals but [*Interruption*—Shabazz leave me alone [*Laughter*—that we recognize this. I think it is a message to our young people that we can say to our young people, "Listen, in trying to take care of business so quickly and for you not to lose faith in us because we are all human beings, we are interested in seeing the development, and because we also know that we are starting from the ground up, we also recognize that there have been pioneers in this before, we have mixed up the thing and gotten it wrong; we are honest to come to you." [*Desk thumping*]

Mr. President, I suggest that we as big people, adults standing up to it, let us go back to the drawing board, let us put our collective heads together and come up with a very sound system, a structure or whatever we want to call it, let us look at what the National Youth Orchestra in the wind instruments and whatever you call them—I am not so good in music, I could only blow probably a mouth organ—let us draw from their experiences. This is no let down for the hon. Minister, and this is what I appreciate so much with Sen. Yuille-Williams that in her contribution I was listening to hear if she would have pulled down the hon. Minister. I would have taken her to task outside as another female, but she did not do that. This is why I said that we are big people in this Senate.

Mr. President, I suggest that we tell our young people that they are still on board. Let us tell those who have been leading and managing them, "You are still on board and thank you very much." Let us say to ourselves as a body, we will go back to the drawing board take the suggestions, ideas and even more the suggestions that may be put forward as the exposure goes, and we will come back here well prepared to take this thing to a final and proper solution.

Sir, I thank you very much. [*Desk thumping*]

**Mr. President:** I see the Senator has performed as a good master-of-ceremonies. [*Desk thumping*]

**The Minister of Finance (Sen. The Hon. Brian Kuei Tung):** Mr. President, it is not often that I thank you for an opportunity to talk on something that is not money. [*Laughter*] I want to stand and speak today for a few minutes about pan. I think that everyone knows I am very much a pan enthusiast and that my heart is very much into the pan man, and pan as an instrument.

I start by thanking Sen. Yuille-Williams, my good friend and colleague in a previous administration, for her very constructive comments with respect to what is taking place today. But I want to draw a slightly different spin on everything that has been said today for us to understand what we are about.

I want to attack the first word "youth", not that I have anything against youth. As a matter of fact when I was 25 years old I did not want to be called a youth, I wanted to be called a man, and now that I am a man I want to be called a youth. [*Laughter*] So I do not have anything against the word "youth", but I want us to understand that if we start to think of this Bill in the way that was suggested, by introducing the word "youth" as in the "Youth Steel Orchestra," we are confusing people and would be sending very dangerous signals.

Can you imagine that I am a member of a national youth steel orchestra, I travel on behalf of Trinidad and Tobago as an ambassador, and I am telling everyone that I am a member of a national youth steel orchestra, but I am already 25, 26 or 27! They are going to ask, "Is that the age of youths in Trinidad and Tobago? Do you have another steelband that is a senior steelband? Then I would have to say, "No, this is the only steelband we have, this is the National Steelband. You are confusing people and, therefore, what I want to suggest is that we start with having a national steelband, ultimately you may end up with a youth arm made up of teenagers, I have no difficulty with that, because that is where your future comes from. But in terms of a representative side that is going to play steelband for Trinidad and Tobago, I suggest that these guys—even though the young ladies and young men I have seen here have not wiped their faces of their mothers' milk, I know that they are going to be proud ambassadors of Trinidad and Tobago, and that is what we are seeking to do. [*Desk thumping*]

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

We are seeking to create musical ambassadors to Trinidad and Tobago and to inject and introduce a sense of professionalism and pride into the steelband, that



they could stand and say when they are finished with their training—not just in music, in every sense of the word and I mean no disrespect whatsoever to any steelbands man in Trinidad and Tobago—

I have grown up around panyards ever since I was a young boy. I remember the first time I entered a steelband yard; I was seven years old. I was run out of the steelband yard because it was said that they did not want little children in that place. That was how it used to be. Children were discouraged from visiting the steelband yards, because there was swearing and all sorts of things going on there. I was never allowed there because my parents objected, and the people who were in the steelband yards were friends of my parents. They told me that they would tell my mother on me. I was told: “Do not come to the panyard, because if you do, your mother would be told”.

I have understood and have been bred into the culture of the steelbands man for years. In those days there was only Invaders in Woodbrook in the west. It was not quite a wild, wild, west but it had a different kind of culture. All the girls looked up to the steelbands men. So, the steelbands men got the choice of the girls. The steelbands men—do you think it was the wild, wild west? They wore their notch on their guns for every girl that they banged. That is what it was. All the girls who had children for steelbands men were considered to be steelband territory. That is a fact, we cannot hide it. We have lived that and have gone through that. The steelbands men were the heroes; they were the badjohns. I can give you the names too—I do not have a book with them—I know Zephrine, Mudderbe, moutabie, Corbeau Jack. Do you know Corbeau Jack? These were fellows that I knew in the Invaders steelband yard. I do not have to talk about Bertie and Ellie Mannette—they were famous. Ellie Mannette left and went to Brooklyn for a while and ended up somewhere in the midwest. He has never returned.

Many of them left Trinidad and Tobago on their own, and I accept what Sen. Shabazz had said, that many of them saw their meal ticket as jumping into a boat. There are situations where steelbands men come to me for help in obtaining a visa, because they think that the green pastures out there is what they have to do to come out of it. Just as sports has been to a Cuban—I do not know if you knew this. In Cuba the way to get out is to excel at sports. So, too, in Trinidad the steelbands man felt that if he excelled in steelband he had a meal ticket out of here. That is what he wants to do. That is his burning ambition.

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Zephrine was one of those guys. I was one of those who, at 3 o'clock would go down to the steelbands yard because I was hearing music coming out of two little dustbins. I would look up to those fellows because they were the stars on the block. These were the fellows who everyone looked up to. On many an occasion they had to combine a little badjohnism to make sure that they maintained the heroic quality that they were aspiring to. Many of them had one burning ambition, to get out of here, to see if they could make a name for themselves as steelbands men.

Zephrine has just come back. He is living as a vagrant in Phase II. That is where he is living. I am trying to help him. He has come back penniless, broken, even his clothes he had to leave behind because of some unforeseen circumstances. He has been exploited, used and abused in every sense of the word. He has played pan and was an excellent steelbands man. What happened to him?

We are trying to introduce a kind of professionalism, where people can aspire towards being the best, that they can earn the rewards that they deserve so their skills can be channelled and used for their own benefit. That is what the National Steel Orchestra means for everyone in Trinidad and Tobago. That is why, when I stand here, I feel proud to be part of an administration that recognizes that unless you do something for the steelbands men, unless you have them looking up to something—I accept that we cannot take every good steelbands man and put him in the National Steelband, we would end up with about 5,000 steelbands men in a National Steelband. There are at least 5,000 good pannists that I know of in Trinidad and Tobago, today. Several of them live overseas. You have to make a start and now is the right time to make a start, not going back to the drawing board, with all due respect.

I accept there may be problems. I am one of those who believe that the longest journey starts with the first step, and if on the way, you need to correct certain things, we would do it. We are the kind of administration that would recognize a good idea from wherever it came. From the mouth of a babe or, from the Members themselves. *[Desk thumping]*. We would be happy to hear of it. If there are suggestions today that can make sense at this time, we would be the first to bring it on board, but I am not sure *[Interruption]* therefore, give it an opportunity to start. Give it an opportunity to get off and then we would move.

**Hon. Member:** We want a committee before it starts.

**Sen. The Hon. B. Kuei Tung:** Understand the predicament that we find ourselves in. As Minister of Finance, I am committed to this National Steel Orchestra, and,

therefore, not only am I going to ensure that it is properly funded, I am going to ensure that the steelband, as an instrument, and as part of our culture, remains a predominant part of our financial landscape [*Desk thumping*]. I have to, because I have seen enough turbulence which takes place over the years, among steelbands men to understand that if I should ignore steelband or carnival, it is going to cause untold damage to us.

I have no fear about steelband being lost to other countries. I have heard a lot of people mention that. I have been around steelband too long to have any such fear. I know that there is a factory in Sweden; there are factories in the United States, Germany, and so on. I have no fear of that because I do not think we appreciate the quality of our steelband. Two things happen each year that really astound me. One is that the skill of our steelbands men keeps increasing and improving every year.

Today, there are steelbands men who are far superior to anyone that I have talked about in the 1950s, 1960s or 1970s. The quality of the instrument is also far superior to anything that can be mass produced anywhere in the world. That is because of the individual efforts of men who are so interested in the steelband that they experiment, almost on a daily basis, in and out of carnival to ensure that we have the best instruments available. I see configurations, permutations of pan that never existed twenty years ago, that nobody ever thought about twenty years ago. As I said, I have every confidence in the steelbands man taking us into the new century with a better instrument and greater skill.

A national steel orchestra, to my mind, is a natural sequence to the development and evolution of pan over the years. It has to be, and I accept that in the past we have done things that were a little different, but I want to recommend that change does not come easy, but when accepted, it can always redound to our good.

In the past, we have given prizes in the form of overseas trips for the winners of *Panorama* and the national steelband festival, but the time has come that we must go one step further. Not that we would not encourage steelbands who won trips in the *Panorama* and the national steelband festival to go abroad, but there is another part of our culture in steelband that has to change. I admit that most of my steelband experience is from the west.

I can tell Members of this honourable House, through you, Mr. President, that there are steelbands that shut down on Carnival Saturday night—totally shut

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down. There are steelbands that shut down even before that, because they did not make *Panorama* finals on Carnival Saturday night. One does not hear from them, one does not see them, nobody is around the panyards anymore. Many steelbands by Carnival Saturday are out. Many of them cannot raise a side to come in town on j'ouvert morning. Carnival will not be carnival without steelband. I try my best to encourage steelband into carnival deliberately, to make sure that carnival does not lose its most gracious touch in the steelband.

Yet, we talk about the steelband as being part of our soul and part of our culture; but carnival shuts down on Carnival Saturday for some bands to resurrect towards the end of the year. We need a national steelband that would be a professional group that remains in touch with it, all year round. That is why we are committed to a national steelband. The big bands—Phase II, a band which I know and love very dearly, could not make a 20-man side on a j'ouvert morning. Could you believe that? One of the biggest bands that would have 120 people on Carnival Saturday, cannot get 20 persons to beat on a j'ouvert morning? Is there not a more crying need for a national steelband than that, for us to be able to say at the drop of a hat, if there were a visiting dignitary, and we needed to have a steelband side that is representative of us, that we have a professional side? So that at any time, during Lent, Easter, anytime in the year, there is a side that we can say with pride, belongs to Trinidad and Tobago—the Trinidad and Tobago National Steel Orchestra. Mr. President, I thank you.

**Mr. President:** We will suspend for tea at this stage. This sitting is now suspended until 5.00 p.m.

**4.35 p.m.:** *Sitting suspended.*

**5.03 p.m.:** *Sitting resumed.*

**Sen. Danny Montano:** Mr. President, I had not really intended to make an intervention in this debate, but I think that after the last speaker, I will make one or two comments of my own. In my opinion, this debate has fallen off the rails a little. Some of the speakers have lost the sense of direction as to really what a national steel orchestra ought to be. I support the view of some of the speakers on my side where clearly, based on the Bill in front of us, the focus ought to be on a national youth orchestra rather than a national orchestra. I will try to explain why.

In the name itself of a “National Steel Orchestra”, we Senators must remember that we are Trinidad and Tobago. We are not St. Maarten; we are not Anguilla; we are Trinidad and Tobago! This is where the steelband was invented. This is our

instrument, and our reputation internationally is such that we are the premier experts in the use, design and functioning of the steelpan. Therefore, our name internationally is linked all over the world—not only for oil and gas, but for steelband.

When we put the name, a “National Steel Orchestra of Trinidad and Tobago”, what we are saying is that here is a premier orchestra of world-class standard but, Mr. President, with all the greatest of respect to the young men and women who are going to be the members of this orchestra, they will have a daunting task to try to live up to the reputation of their peers, and nothing I have heard here this afternoon is going to suggest by any stretch of the imagination that they are going to be able to do that, and with one very simple reason: an orchestra—any orchestra—is only as good as the conductor. One can go to the London Philharmonic, New York, Montreal, anywhere that one likes, but the reputation of the orchestra depends almost exclusively on the reputation and competence of the conductor.

Now, according to the Minister of Finance, we have at least 5,000 steelband experts in the country. I have no difficulty with that, but out of the 5,000, could we not find 50 to put on the National Steel Orchestra, bearing in mind, fellow Senators, that this is the ultimate recipient of our national pride? This is Trinidad and Tobago! This is our instrument! This is not just some little fly-by-night thing that we are doing. This steelband is going to be carrying our national pride and integrity everywhere that they go, and it is not sufficient that a Government with some dubious political objectives decides to set up an orchestra with young men and women, albeit very talented, but without the experience and without the leadership—a conductor—to really carry the pride of Trinidad and Tobago to all the corners of the world. Mr. President, that is the point and that is what has been lost here.

A national steel orchestra is our national pride; it carries our national heritage, and it is not just another steelband. The formation of this National Steel Orchestra, I beg to differ with the Minister of Finance, is not necessary at all to the ongoing success of the steelband. That will happen on its own. There may be other ways that the Government could assist the steelband movement, but I do not believe and I do not accept for a moment that the formation of a national steel orchestra is necessary or vital to the continuance of the steelband movement in this country. There are people here, at least 5,000 experts, who were born with steelband in their blood, their hearts and their minds, and that steelband instrument will be

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forever played by not only them, but their children and their grandchildren. But what a national steel orchestra must do is to carry the highest and best expertise we have in the country.

When we form a national football team—with the greatest of respect again to the young men and women here—we pick the best that we have. We do not just pick 24 or 15 fellows just to make up a side. We pick the best that we have, and that is what must reside within the heart of a national steel orchestra. Therefore, Mr. President, it becomes entirely appropriate to designate this orchestra either the National Youth Orchestra, or to remove the word “national” from this title, because that is something entirely different here. I am not saying that we should not support these young men and women and we should not try to foster the kind of thing they will be doing. I am not suggesting that for a moment. What is the question here is whether or not this, in fact, is our national pride, and with the greatest of respect, they do not have the experience to do that! We must look and set standards of excellence for ourselves, and if we are saying that this is our national pride, it must be our national best. That is what it must be.

Mr. President, do not let me underemphasize the importance of the selection of the conductor. Nothing in this legislation—nothing I heard on the part of the Minister—even mentions the word “conductor”. One can be certain that in any organization there are politics, so when I use the word “politics”, I do not mean politics on this side or that side; but within any organization, there are views and ideas, and the conductor of the national orchestra has been given no *locus standi* in this legislation at all. In other words, he would have no choice over who is hired or fired.

In what orchestra anywhere in the world is there going to be a situation where the conductor is simply told who he can and cannot hire? That does not happen anywhere in the world, and it must not be allowed to happen here! Not if these young men and women are expected to reach the standard that we expect from our pannists. Not so, Sir! This thing has not been thought through at all. This has become a political gesture without the real understanding as to what is really necessary here.

The first thing that is missing here is the office of the conductor and the conductor must be of a calibre that we can be proud of to take Trinidad and Tobago anywhere—be it Expo ‘67 all over again, or whatever. Mr. President, I have heard nothing about that here. Nobody has thought it out. Is there ever a

Government without a Prime Minister? There has to be a leader. Somebody has to decide and set the standards and arrangements, and that officer must be of the calibre that a national orchestra deserves. Not only that; he must be given certain authority to hire and fire as the case might be. It cannot be vested only in the board or in the Minister. It must be vested in the conductor. That is how an orchestra is run.

This is trivial nonsense! That is to what it comes down. It comes down to virtual trivial nonsense! What are they really doing? Are they leading these young men and women forward into the 21st Century? These young men and women have ambitions of their own, and their ambitions, I am sure, are to be experts in what they do. Experts without leadership, Sir? Without an expert conductor? How will they do that? They will be made a laughing stock and a mockery, and I will not accept that, Sir. I will not! On their behalf, I cannot accept that!

This Government must come and do better, and my colleague on the other side should know better. She should know better! She is, after all, the Minister and must be setting standards of leadership. Where is the conductor? Tell me something about who is going to conduct this orchestra and on what terms. What is he going to be doing?

Mr. President, it is disappointing, as usual, to see a measure which is hastily thought through, desirable to achieve what they consider to be a political objective when, in truth and in fact, it misses the mark. The intentions may be good, but they have missed the mark. They are not going to accomplish anything of which this country and these people can be proud. That is what we want. We want an orchestra of which we can be proud. In the interim, what should happen is that it should be a youth orchestra, and if anything, members can be co-opted from the youth orchestra for the national orchestra, such as is needed from time to time; Not only from this orchestra, but from any other in the two islands. That is all that is necessary.

I am not in disagreement with the formation of an orchestra of this type at all. I support it wholeheartedly, but not in the context in which it is being presented here, Sir. This thing has got to be rethought. I thank you very much.

**5.15 p.m.**

**Sen. Prof. John Spence:** Mr. President in general, I am in support of the initiative that is presented in this Bill. I do not have many of the reservations that

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some of my colleagues have expressed previously. I have one or two suggestions to make but, by and large, I think the idea of having a Bill which concentrates on the Board rather than on the orchestra itself is the correct way to approach it, because the Board should be the one that builds the orchestra. So, if you put a lot of provisions for the orchestra into this Bill, you have already circumscribed what the Board can do. So I think it is important that you leave that part of it for the Board's initiative to build the orchestra. [*Desk thumping*]

I take the point that we may have a difficulty in representing this orchestra in its first manifestation, when it first starts as the national orchestra because, undoubtedly, there will be many very skilled persons who would not be in this orchestra, so there is a difficulty in broadening the term the National Steel Orchestra.

However, I want to support the concept that we have to progress, and one way I think we can progress in the steelband movement is to ensure that in future—and this is a move in that direction—all of the steelbandmen, skilled as they are in their performances and in memory and so on, would also have the additional attribute that they would be trained in music and that they can read music. Really, if you are thinking of progressing, this professionalism has got to come into the movement. That is not in any way to deprive, belittle or reduce the importance of the people who have been able to get to the stage that we have got to now, without that capability.

We are moving forward and we must move in that direction, so in future, they would not only have the skills that they now have, but in addition, they would be able to read music and this would make the process of their conductor and arranger and so on that much easier.

I would make this suggestion, that perhaps at this stage we should remove the word 'national' from the designation of the orchestra and refer to it in the Bill as the Trinidad and Tobago Steel Orchestra. This I think would remove some of the difficulties that have been presented with respect to giving the impression that it is the best that we can mount at this stage, in the country.

I have just received some amendments. I do not think that we should go in the direction of calling it a Youth Orchestra now, and I agree with the hon. Minister of Finance who is suggesting that, perhaps, there might be developed out of this orchestra a youth arm. I do not agree, certainly, with the suggestion that the members should serve only for two years. I think that absolutely defeats the



purpose of what we are trying to do here. We should be trying to give persons the possibility of a professional career, in steelband music by being members of this orchestra. So, I have no difficulty with that. It would be a very good idea, not necessarily in the Bill. But, the way the management board should approach it is that, the appointee should be on probation for at least three years, and after three years one can assess whether, indeed, they should continue their careers in this way, especially, as the initial recruiting of members may have missed persons who, perhaps, were not yet confident that the whole process is going to be a good one, and therefore might not have volunteered to be recruited onto this orchestra.

I take the point made by Sen. Montano, that the conductor or musical director should certainly be involved in the whole process, and I would also make a second suggestion and that is, there should be designated in the Bill a musical director/conductor and that he should be an *ex officio* member of the board. So, I have two suggestions to make Mr. President that we should—

- (i) Drop the word national;
- (ii) Include a musical director/conductor

who should be a member of the board and with these two amendments the Bill would have my full support. Thank you Sir.

**Sen. Mahadeo Jagmohan:** Mr. President, I thank you for the opportunity this evening. The music of a country is an integral part of its culture and a country is recognized and known largely through its culture, and music is one form of culture that is understood in any language. [*Desk thumping*]. If in English you say “doh, ray, me, fah, soh, lah, te, doh” everyone understands it and the Hindi notes “sah, di, ga, ma, pa, da, ni, sah” are equivalent to doh, ray, me, fah, soh, lah, te, doh and have the same sound in music, therefore music is a universal thing and we should view it in that light.

Mr. President, what we saw a while ago, was that the hon. Minister of Finance, when he made his intervention, took up an exclusive Government position, but did not seem to pay any attention to what was said very constructively throughout the course of this debate. I do not blame him because he has to take the Government’s position.

In Trinidad and Tobago any kind of music band or orchestra carries some kind of pan together with their music. When the great celebrated conductor Sir John Babarolli of the London Symphony came to Trinidad, he wanted to hear the

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Trinidad version of how the national anthem is played. He was taken to the St. James Police Training School and he expected a certain kind of instrument in music and when he saw the steelbands to accompany the playing of the national anthem for him to structure it and have the London Symphony give a rendition he was flabbergasted and surprised. He found it strange.

I wish to impress upon the Senate, that the steelband is a very important part of our music and culture. What I have found is that the Minister failed to mention and compliment the former prime minister, my political leader, as the one who placed the steelband as our national instrument in Trinidad and Tobago.  
*[Interruption]*

**Sen. Cuffy Dowlat:** I certainly disagree with him.

**Sen. M. Jagmohan:** Mr. President, I do not mind the cries of my friend but that is the truth. *[Interruption]*. There was a great hue and cry when Mr. Manning pronounced that the steelband is the national musical instrument of Trinidad and Tobago and some of our friends had strong objections.

Other than that, when an Indian orchestra and band came from India accompanying one of the singers, I think it was Manadee, their saxophonist Mr. Manoohansingh wanted to play the Mighty Sparrow's "Obeah Woman" because he had a collection of records in his hotel room of what the Trinidadians had liked at the time and he found Sparrow's "Obeah Woman" fascinating, but he wanted to hear some Trinidadian musicians play it and they took him to a selected group who rendered it on pan, and he adapted it on the saxophone. That is the importance of the steelband.

**5.25 p.m.**

This is of great importance. When Mungal Patassar, whom Sen. Prof. Ramchand alluded to, came up with the idea that the steelband and the sitar could be fused together and produce beautiful music, he had opposition from other sitar players, and some steelband players until he got to the right people to formulate the right mix and he produced a very beautiful piece which he has played publicly and on the radio as well. Mungal is a cultural officer in the Ministry of Culture and Gender Affairs and the Minister knows about what I am speaking.

Mr. President, I wish to be brief, but something is bothering me. The Minister is very strong on equality in a certain regard, and I see a gender imbalance among

the young persons who presently comprise the National Steel Orchestra. What was responsible for that gender imbalance? I do not understand, it has to be explained. The Minister gave us the statistics; she said 24 men and 6 women. I am not looking at people physically to decide this. The Minister gave this and I have a concern and I ask the question.

I am hearing that we have members of the National Steel Orchestra coming from Tobago. Was any attention given to a regional basis in Trinidad like County St. Patrick, Counties Victoria, St. Andrew, St. David or the towns of Siparia, La Brea, Point Fortin, Rio Claro, Princes Town, San Fernando or Chaguanas? Are there persons from those areas? If there are no persons from those areas, I have no directive from my party to question it, but I have doubts whether it is national in scope and formation and whatever.

The Minister referred to remuneration, emoluments, payment or salary for members of the National Steel Orchestra. What would be the basis? Before any answer comes from anywhere, I wish to state that the members of the police band, which is a sort of national orchestra, the fire service band, that is national in outlook; the music band of the defence force is also national in outlook, and the prisons as well, all receive salaries commensurate with the terms and conditions of employment of the various agencies I have identified. From where would the members of the National Steel Orchestra receive their compensatory remuneration? Are they to be covered by an industrial agreement?

This is serious business and I have urged the Minister not to take it upon her own to decide on that. If the question of monetary benefits had not overcome the West Indies cricket team at that hotel in London, we would not have experienced that debacle in South Africa. To have the team of the National Steel Orchestra perform well, we should properly position, reorganize, concretize and formalize the remuneration for members of the band. I say this only by way of advice to the Minister, because it is the Minister in charge here, although these musicians fall under the portfolio of the Minister of National Security.

It was said in the Bill, it would play on national occasions and in foreign countries and so forth, but one thing is very important whether the Bill is formalized as a Trinidad and Tobago National Youth Steel Orchestra, or like the distinguished Sen. Prof. Spence said to take out the word "National" and call it the rest, some attention must be paid from this moment that this orchestra must specialize in playing the National Anthem of all the countries with whom we interface.

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Mr. President, many persons sitting as Members of this Senate, and even the technocrats of the Government, as well as the very distinguished and very loyal persons in the public gallery, do not know that the real support and strength came to the steelband movement from the trade unions and the labour movement in Trinidad and Tobago. Many people here do not know that. It came from the Oilfield Workers' Trade Union, the Public Services Association, the National Union of Government and Federated Workers and Comrade Mark and Comrade Cabrera's Bank and General Workers' Union.

The Minister explained how the board would be formulated with some civil servants but it would have been wise to put in that Bill a representative of the labour movement. The labour movement accounts for such a great amount of the grass root people in the country who would labour for the welfare of everything in this land, and I do not mean only labourers when I say labour. They could be accountants, lawyers, anybody but they must have a labour background and we should give some consideration to that in the formation of any board.

One thing which attracted my attention a great deal was when the Minister spoke about what could be the syllabus or the curriculum for training the members of the National Steel Orchestra: oral skills, etiquette, public speaking. With your kind permission Sir, and with all the humility at my disposal, I want to let the Minister know that my services are available in the field of public speaking [*Laughter*] and also manners and etiquette and human relations.

Mr. President, the corporate citizens who support the steelband movement by their very expensive sponsorship should be given the opportunity to serve on any board which has to deal with the live performance and existence of any steel orchestra and the steelbandmen who operate. If that was not done then it would seem we only want to use people and discard them at the side of the road or wherever we could and some attention should be paid to that.

Mr. President, I looked at the Bill before today, and I read it over while the Senate was in progress and there are so many things in this Bill that can be subjected to very harsh criticism but I want to be more generous than that and point out something. This is one of the first Bills which came to the Senate over the last three years where the seal of the organization will be kept by the chairman. That is unprecedented. All seals are kept by secretaries. I do not know what is happening, what the legal draftsmen were thinking. Was that the instruction of the Cabinet or the Minister? I just want to draw attention to that.

The secretary may not apply the seal to any important document unless the chairman or president is present. That is normal procedure worldwide.

Clause 17(1) states:

“The Orchestra shall have the power to own real and personal property.”

I think that is a mistake, it should not be the orchestra, it should be the board. The board would be a legal entity. I am not sure that the orchestra would be a legal entity so that correction has to be made. The Minister should let the legal draftsman know that it is a non-lawyer who pointed that out. *[Laughter]* I saw young gentlemen and not so young ones in the gallery earlier today and I approached those on the front bench to find out which group they represented and I was told the National Steel Orchestra, and I must state that some attention should be paid to the appropriate uniform for the members of the National Steel Orchestra. It looks good, I am not criticizing it, but attention should be paid to that.

Mr. President, clause 13(1) says:

“There is established by this section, a Steel Orchestra Fund hereinafter called ‘the Fund’.”

This is what Sen. Prof. Spence was alluding to, the Steel Orchestra, but we of the People’s National Movement want to call it the National Youth Steel Orchestra or any such name based on mutual agreement. I am wondering if we would have mutual agreement.

A few people spoke about the different places the steelband movement presented its talent all over the world, and I was present at Expo ‘67 in Montreal for a few days and young persons, Canadians and other foreigners who saw the band performing continued to swear that the actual sound which was coming from the orchestra was not coming from the steelband, there was some hidden taped music somewhere and the same curiosity was in the hall where they performed and also beside the river where the Trinidad and Tobago booth was. Sen. Danny Montano was a student in Canada at the time and he was there several times as well.

I wish to state that whenever any steelband from Trinidad and Tobago is going abroad it has to be properly explained how the band is made up, the names of the various pans, whether first pan tenor, base or whatever and the listening public all over should know that we are not deceiving them. It is the natural talent they are hearing.

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Mr. President, there are so many parts in this Bill which, in my humble opinion, should not be in the Bill, but are there and I believe that the Minister, with the help of other Cabinet colleagues who are present, might want to withdraw this Bill at this stage and return with another version of it based on the contributions made here. However, we wish her well. It was not a bad attempt on her part to come with something, but this is Parliament, the Senate, and the only persons higher than the Senators are the President of the Senate and the President of the Republic of Trinidad and Tobago, nobody else is higher. We are saying certain things and I hope they would be heeded by the Minister, although I did not get any point of order, but I was a little scared it would have come.

Thank you.

**5.40 p.m.**

**Sen. Dr. Eric St. Cyr:** Mr. President, I will be very brief. Let me say that at the start of the debate, I had very many doubts as to what was happening and in which direction we were headed but, as the debate proceeded, it became reasonably clear to me that the Government had a very clear idea of what it was trying to do, and as that idea came clearly to me, I feel comfortable in lending my support to the Bill in much the form in which it stands.

Perhaps my only critical comment is that I would have had the Bill assented to before I started selecting people and I wonder whether the board is already in place, but the membership is not yet identifiable.

That apart, let me just say what my understanding is, which is what prompted me to be in support. We may liken the evolution of the steelband as a stream starting high up the hill in a very unstructured way but as it flows downhill, it gradually gets channelled and as it goes along, we see the course of a nice river.

I dare say that over the last 50 or 60 years, this instrument which is of our own indigenous creation right here in Trinidad and Tobago has been born, has grown, has evolved and has taken a good shape. What I understand to be happening here today is that we are seeking to institutionalize and formalize the arrangements by which this art-form could be given structure and direction for further development in the future. In that respect, I think the thinking is correct that one puts a structure that will manage and give direction to the future development of this art-form.

I was once involved in the start-up of a small business and three months into it, my regret was that I did not first set up the office and the accounting formats and so forth, so that as things started to happen, I would have been in control.

What I see here is, if I may say yet again, in my view, the positioning of a board and a structure to give encouragement and direction to the future development of this art form.

As I said, I have no difficulty in lending my full support. Let me say that I was very challenged by the debate and by the proposal for a youth orchestra, but I do not think that this is what is being done. I think the entire steelband movement which, without being unduly critical of the tremendous indigenous efforts that have come up with the movement, has probably lacked some clear leadership and direction at the top and I see this as being a good attempt to put this right.

With those remarks, Sir, I thank you.

**The Minister of Culture and Gender Affairs (Sen. Dr. The Hon. Daphne Phillips):** Mr. President, I wish to thank all Senators who contributed to this debate for the very thoughtful and spirited contributions made, all of which I know have been genuine. One thing we saw was the genuine concern of all Senators for what we call our culture in Trinidad and Tobago and many people are very concerned and, indeed, very emotional about it. So I wish to thank everyone for their contributions. I want to make some clarification on a number of issues and then I would look at other matters.

I want to assure Senators, particularly those on the Opposition Bench, that there is on our part here, no question about the brilliance and the contributions made by our early pioneers in the field of pan. There is absolutely no criticism of them for their lack of literacy in music. Indeed, we all admire and congratulate them and we have all come—even our young people—out of their efforts which we condone and we have in no way criticized them.

My reference to the Trinidad All Steel Percussion Orchestra (TASPO) and the National Association of Trinidad and Tobago Steelbandmen (NATTS) which were the first two official initiatives at forming a National Steel Orchestra was in no way a criticism of these bodies and persons. Certainly, if there were any questions or any misunderstanding about that part of the contribution, it was only to outline the history of where we have come. Those noted names mentioned by many Senators are those we know have really done yeoman service to the pan and to pan music.

The issue of longevity of a national steel orchestra was made, and we are not referring to longevity of individuals in a national steel orchestra, but the institution. We are saying that from 1951, when the first attempt was made, there were

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several breaks in the existence of a body, not the membership, and I want to make that clear.

In formalizing or in conceptualizing this present attempt, we are looking at viability and longevity, not of each member who will come first or be a part of the National Steel Orchestra but of the institution itself and that is why we are putting legislation and structure in place to ensure that the institution survives, exists and contributes to the development of where we have reached so far.

Another matter that came up and to which many people referred was the issue of the selection of the best persons available to formulate this National Steel Orchestra. The selection process we put in place did bring to the fore the best available. Based on the criteria we identified: members must be at least 18 years of age; they must be residents/citizens of Trinidad and Tobago; they must be available for full-time employment engagement and they must be the best in the field. That best was identified through the selection criteria and through the testing that was done.

So we have, in our opinion, with the group of prospective members here, the best that is available. This does not say that we do not have very many excellent pan players in the country, but many of them, particularly the brilliant ones, those who have excelled and have many years of experience, are not available to be part of any process that we are trying to create at this time. Many of them come to Trinidad and Tobago, sometimes just for the Carnival to help in the tuning and so forth, and they go back. They are out of the country. Many of them have jobs.

Sen. Jagmohan just mentioned the various members of orchestras we have in the branches of the National Security Ministry. But they are full-time employees of the state. They are not available for service in the way in which we conceptualize the National Steel Orchestra. These people whom we have selected have gone through procedures which ensure they are the best available at this point in time and we have no bones about that.

The “Boogsie” Sharpe, Ellie Mannette and other distinguished performers of the pan are not available and those members are not necessarily constituting a part of this National Steel Orchestra.

There was some debate as well about the fact that the orchestra should reflect the diversity that is our national culture in the multiplicity of forms in which it exists and in the fact of the evolution of our culture over time. We must remember that this is a national steel orchestra. It is not a national cultural orchestra. It is not a mosaic of all our cultural forms.



The intention is to institutionalize the steel orchestra, not all our culture, not our tassa, sitar and all the others, bamboo-bamboo and everything that we have created, or is now evolving. The intention is to honour the steelpan and the steelbandmen and to honour their contribution and to institutionalize it in a national steel orchestra.

So while we are very much aware, we have no problem with acknowledging that our culture is diverse and that the steelpan is only one aspect of it. Yes, we acknowledge that. But this Bill is to institutionalize the steelpan in the form in which we want to go and that indicates development.

There was some discussion as well on the length of contracts and whether members will have life-long membership in the proposed National Steel Orchestra, or whether contracts will be for two years, or whatever.

We have stated in clause 22(1), page 15, that:

“The composition of the Orchestra and the qualifications and selection criteria for the various positions on the Orchestra shall be determined by the Board subject to the approval of the Minister.”

In subclause (2) it is stated that:

“The terms and conditions of appointment of the members of the Orchestra shall be determined by the Board subject to the approval of the Minister.”

This, of course, allows the board to make decisions from time to time given various circumstances, so we have left it open to the board. We have not stipulated in the Bill what the length of that contract would be.

### **5.55 p.m.**

There was little discussion that we already have the best, this came from Sen. Joan Yuille-Williams. I thank her for her contribution and concern. However, as I said before, we know that some of our pan players are the best, and we have no problem with that. We are looking, as I am saying now, to institutionalize the orchestra from this point in time.

The gender imbalance of the membership—that was a product of the process of selection, advertisement and indeed the composition of the membership in general—whether they are people from Tobago, rastas or women in the membership had to do with the process of selection. First, those who applied and presented themselves as being available for selection were selected.

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We are very glad that there are six female members in the group and we hope that in the future, membership in the steel orchestra would be so attractive, that many people would want to take part.

The issue of literacy in music: I must clarify that literacy in music was not a prerequisite. There was some questioning about why are we denying persons who are very good pan players but may not be literate in music. Literacy in music was not a prerequisite for selection, but we are saying once the membership is selected, they will be exposed to training in music, both theory and practical.

The composition of the board: there were various views on what should be the size of this composition, whether it should be seven or 11 members and there were some conflicts in those presentations. I want to thank Sen. Jagmohan for offering his services to the board in terms of training *et cetera*. The composition of the board is clearly outlined in clause 5 of the Bill, and once persons have the criteria outlined, regardless of who they are—whether members of the labour movement or persons who have sponsored steelbands in the past—what we want, are certain clear criteria.

They must possess professional qualifications and at least three years experience in music arts, international music business, the history and development of the steelband and the commercial or marketing aspects of both culture and carnival. Of course, all members must have displayed some empathy or sympathy towards the national indigenous culture of Trinidad and Tobago. Those persons could be anyone who fits these criteria. We are clear on those criteria because those criteria would give us the kind of persons we need to lead the orchestra.

The point about the lack of identification of a conductor which was made very strongly by Sen. Montano: this is of course in clause 7 of the Bill. It is very clearly stated. I would read:

“The Board may appoint on such terms and conditions as it thinks fit and subject to such maximum limit of remuneration as the Minister may determine, staff and employees as it considers necessary-

- (a) for the due and efficient exercise and performance of its functions under this Act; and
- (b) for the efficient functioning of the Orchestra.

I think there the board will determine the composition and nature of the staffing it requires.

**Sen. Prof. Spence:** Is the hon. Senator suggesting that perhaps they might not appoint a musical director or conductor? That is a general requirement for ordinary staff, but a conductor or musical director is a specific appointment and must be with an orchestra.

**Sen. Dr. The Hon D. Phillips:** Well, that is exactly so, if a musical conductor is part of an orchestra, then that is one of the necessary staff which the board will employ.

**Sen. Prof. Ramchand:** Do you want that incorporated in statutes?

**Sen. Dr. The Hon. D. Phillips:** Do you want him as a member of the board? We can look at that.

**Sen. Prof. Spence:** An *ex officio* member of the board, that is my suggestion—that you name a musical director in the Act because it is so important and that he be *ex officio* member of the board.

**Sen. Dr. The Hon. D. Phillips:** As we come to the clause at committee stage, we will look at that. Someone spoke about the importance of uniforms for the orchestra, I think it was Sen. Jagmohan.

**Sen. Prof. Ramchand:** Mr. President, since the hon. Minister is coming to the end, before she does, can she clarify a matter which I find rather shocking? Can she confirm that what she is saying is that the National Steel Orchestra will not accommodate any new instruments as the steelband evolves? Also will the National Steel Orchestra include forms of Trinidad and Tobago's music and drumming that steel orchestras are presently including? Is the National Steel Orchestra going to be an archaic body preserving the steelband as it used to be?

**Sen. Dr. The Hon. D. Phillips:** Mr. President, no, I did not say that the National Steel Orchestra would not include any other percussion instruments or other instruments. What I said is that, what we are institutionalizing in this Bill is the steelpan. That is the primary focus. The musical direction of the orchestra will be determined by decisions taken by the board and the musical leadership which may include these things. We know that culture evolves and new things happen. Indeed, our culture is such that we fuse over time, so, no, I am not suggesting that this will never be a part of the National Steel Orchestra, but I am saying that we leave this up to the evolution and the decisions made by the board.

**Sen. Prof. Ramchand:** Well I will have to rest satisfied at that point, but I feel that the hon. Minister ought to bear in mind what is actually going on now

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with pan music. There is the pan and pan music, and nowadays pan music goes way beyond what is normally associated with the pan.

**Sen. Dr. The Hon. D. Phillips:** Mr. President, there is nothing in the legislation which precludes this, but I am saying that we are institutionalizing the National Steel Orchestra at this point in time.

I was dealing with a small issue of uniforms, I think our members are very well dressed today. I want you to know that we have several types of uniforms—casual and very formal with cummerbund and bow tie, so there are different uniforms. I would not want you to worry about that.

There were some conflicting views particularly from the Opposition. I would like to note some of them—in terms of the composition of the board, some Members thought that there were too many people, while some thought that there were too few and we should increase the leadership. On that point, the Opposition is not very unified in what seems to have been said to us here.

In terms of the issue of revenue from performances, one member—Sen. Shabazz—said they should have revenue from performances because too much in the history of the steelband seems to suggest that we want them to perform for free, and revenue from performances was part of the original proposal from Pan Trinbago, whereas Sen. Joan Yuille-Williams thought that we should not have revenue for performances and indeed, has suggested so in a proposed amendment here to remove—

**6.05 p.m.**

**Sen. Yuille-Williams:** Let me show you the difference here. When I was speaking in terms of what I was looking at in the youth orchestras, I was not expecting them to play for these private functions at all where they will be remunerated like the other bands. I said that it should be left for the other bands. That is the difference. I was not expecting this orchestra to play at these private functions where you normally pay. I would say leave that for the private bands. That is a special thing because I had a special area for them. It was not just revenue for performances, *per se*. When I talked about this youth orchestra I was not expecting them to be playing for private functions at all. That is why in my concept of it I would have the performance fee and so forth coming in there.

**Sen. Dr. The Hon. D. Phillips:** Thank you. That is clear but I am saying there are a few conflicting views on these different issues and we are not too sure as a

group where you are coming from. There are others, and perhaps the core of the criticism or changes requested was in relation to the renaming of the orchestra, "National Youth Orchestra", "National Youth Steel Orchestra" or removing "National" and referring to it as the "Trinidad and Tobago Steel Orchestra", *et cetera*. That was perhaps the issue of greatest contention.

There was also a not too clear position from the Opposition as to whether, having a national steel orchestra as we conceive it, would really contribute to threatening other bands for opportunities available locally and internationally. I want to say that our intention, and as we have stated it very clearly, is that the national steel orchestra does not threaten opportunities from other bands. In fact, this is why they are not in competition. They are not in competition with them for prizes or money or status. They are not in competition and are then, therefore, not threatened.

In terms of international exposure and opportunities, I noted Sen. Yuille-Williams identified one band, I think it was from one of the newspapers, Flabej, which is going to the World Fest and has been going for the last four years. Mr. President, several bands travel abroad and I am sure Sen. Joan Yuille-Williams is very well acquainted with that. Over the years they have gone to all sorts of international fairs and events, for some of which they are assisted by Government, some by private sponsors, some by both, some by all kinds of sponsorship they get and sometimes by some of their own funding.

Those procedures are not going to be interfered with. Bands come to us and say they were invited by some body, some organization, to participate in some event, and they ask for assistance. That would still go on. We are not going to tell organizations abroad that they must only invite the national steel orchestra. No. They will still send the invitations to the bands that they see fit. To the extent that there are prizes of travel for bands which have performed well in competitions, those will still exist. So there is no way in which the activities of the National Steel Orchestra will threaten the opportunities for bands to travel abroad or to get local opportunities.

Mr. President, I think perhaps the greatest issue that has come up is in the naming of the National Steel Orchestra. The suggestions of naming it a national youth orchestra I think my colleague, Sen. Kuei Tung, has effectively addressed that issue. We think that we should have a national steel orchestra of Trinidad and Tobago. While we take the suggestions, and I know they were given in all

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sincerity, that we should look at the youth, and I agree, there is no reason why we cannot take this on board in terms of perhaps creating a youth arm of the National Steel Orchestra or youth facility within the steel orchestra, and we will look at that whole issue.

We are committed to going with a national steel orchestra for the issues related to how we present ourselves abroad to other countries, *et cetera*, and for the fact that we want to create the institution. The institution is the National Steel Orchestra. That is what we want to give life, viability and longevity and that is where we want to build from where we are now. And while we will consider a youth element within the orchestra in the ages suggested, 18—25, we will consider that certainly.

Mr. President, I think I have covered most of the issues.

**Sen. Dr. Mc Kenzie:** Thank you very much, Madam Minister. I would have liked to hear, before the Minister does her final winding up, something about what has been happening with the orchestra for the last four months. Here we are now putting the structure in place for the board, for remuneration, for this and for that, but they have been there for the last four or six months and I thought that you would have said, “Well look, for the last six months we have had these 30 people in training. We got all of the academics and the passing of the exams and so on”.

We need to know what has been happening to them. Have they been given a stipend? How much money has been spent? Have they played for any money anywhere? Has anybody given them any donation or something. I just need a two-liner, nothing much, so we know that they are not starving and that the hon. Minister of Finance is being good by putting his money where his mouth is. We have no indication of that, Mr. President. Thank you very much. Maybe she could promise us, even though she does not have the facts. She could promise that. I will deal with a promise.

**Sen. Dr. The Hon. D. Phillips:** Thank you, Senator. Mr. President, I did say, and I thought I said it clearly, but let me repeat, that the members of the orchestra have been engaged with the Ministry of Culture and Gender Affairs since September 1, 1998. They have been in receipt of a monthly salary, each member, and they have been engaged through what we call an offer of services arrangement with the Permanent Secretary in the Ministry who is authorized to create these offers of services, so that they have been employed through that arrangement by the Ministry.

Their transportation needs have been taken into account by the Ministry and their engagements are funded by the Ministry. Wherever they perform, and they have performed in a number of places, that is taken care of by the Ministry in an interim arrangement until they are formalized by this Bill. So, yes, they are. And we talked about their training and the performances which they have already undertaken.

**Sen. Dr. St. Cyr:** Mr. President, if the Act makes provision for the board to appoint the orchestra, is the board yet in place? And secondly, Sir, do we have an interim musical director in place?

**PROCEDURAL MOTION**

**The Minister of Public Administration (Sen. The Hon. Wade Mark):** Mr. President, before Sen. Daphne Phillips continues may I, at this time, move a procedural motion and in accordance with Standing Order 9(8), I beg to move that this Senate will continue to sit until the conclusion of the matter now before it.

*Question put and agreed to.*

**TRINIDAD AND TOBAGO NATIONAL STEEL ORCHESTRA BILL**

**Sen. Dr. The Hon. D. Phillips:** Thank you. Mr. President, in relation to the last question, which was whether since the board employs the members and the board is not institutionalized, is it that, the board is not in place, are the members being selected before the board has been put in place? Is that the substance of the question? Mr. President, the Cabinet decision which was taken in June, July, somewhere, 1997, outlined the policy of the Government in relation to these matters and criteria for selection, engagement of members, *et cetera*. It is on the basis of those criteria that selection took place.

Clause 22 of the Bill indicates that the composition of the orchestra, qualification, selection, criteria, *et cetera*, which are in the Bill, which are the same that we have identified in the policy, shall be determined by the board. I would expect that once the board is in place, the proposed membership that is in place at this point in time will be reviewed by the board and decisions made. Mr. President, the matters raised by Sen. Jagmohan about the power to own property, as identified in clause 17, will be dealt with as they go through the Committee Stage based on the advice of the legal draftspersons. There were some other references to matters which passed before this national steel orchestra was envisaged and those we will perhaps discuss in another forum. Mr. President, I beg to move.

**6.20 p.m.**

*Question put and agreed to.*

*Bill accordingly read a second time.*

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

*Senate in committee.*

**Mr. Chairman:** Hon. Members, this Bill contains five parts and 25 clauses, but subject to your agreement, may we deal with the Bill by parts. If there are any clauses within any of the parts for amendments, we deal with them individually. Is that in order?

*Agreed to.*

**Mr. Chairman:** We have some proposed amendments circulated by Sen. Joan Yuille-Williams. The amendments are as follows:

"Long Title                      Insert between the words 'National' and 'Steel Orchestra'  
the word 'Youth'."

I should point out that we will deal with the Long Title at the end of the 25 clauses, and then the second part under Long Title wherever the words "Trinidad and Tobago National Steel Orchestra" appear and so forth. That appears in three clauses, we will deal with them when we come to those clauses. They are in clauses 3, 4, and 21. Are you with me?

**Sen. Prof. Spence:** Clause one as well?

**Mr. Chairman:** We will deal with that last. [*Crosstalk*]

**Sen. Yuille-Williams:** Mr. Chairman, I heard what you said about when we would deal with the long title, but it seems to me that the Long Title can indicate the kind of direction the rest of the Bill takes. According to which of the long titles we take, then the rest becomes relevant. It is difficult to deal with anything without it. I would suggest, we know what the long title is and then we would have an idea of where people are going, and then probably the rest might be irrelevant, according to where you go with the long title. [*Crosstalk*]

**Mr. Chairman:** Sen. Yuille-Williams, Standing Order 53(10) states:

"If any amendment to the title of the Bill is made necessary by an amendment to the Bill, it shall be made at the conclusion of the proceedings detailed



above, but no question shall be put that the title (as amended) stand part of the Bill; nor shall any question be put upon the enacting formula."

**Sen. Yuille-Williams:** Thank you. [*Crosstalk*]

*Clause 2 ordered to stand part of the Bill.*

*Clause 3.*

*Question proposed, That clause 3 stand part of the Bill.*

**Mr. Chairman:** There is a proposal for an amendment as follows:

"Wherever the words 'Trinidad and Tobago National Steel Orchestra' appear, insert between the word 'National' and 'Steel Orchestra' the word 'Youth'."

**Sen. Prof. Spence:** Mr. Chairman, I also have a proposal to make here that the word 'National' be deleted, because I think it is superfluous.

**Mr. Chairman:** Perhaps we should hear Sen. Yuille-Williams first on her proposal and then Sen. Prof. Spence.

**Sen. Yuille-Williams:** Mr. Chairman, I do not have anything further to add to what I said during my presentation, on using the word "youth". In fact, I had said that I thought this should be a Bill in which we are trying to institutionalize a youth orchestra, that is why I wanted the word "youth" to appear here, then it makes the subsequent clauses I have added relevant. [*Crosstalk*]

**Mr. Chairman:** Perhaps I should mention that at clause 3 it is at two places under definition of "board" and "orchestra".

**Sen. Prof. Spence:** Mr. Chairman, my point is that it is really superfluous. I think that the Trinidad and Tobago Steel Orchestra gives the concept that one is looking for here, and avoids this difficulty that we are suggesting that perhaps this is the best we can have for the nation. I really think the word "national" is superfluous. We tend to use it frequently, but I cannot really see the point of saying "national". It is The Trinidad and Tobago Steel Orchestra.

**Mr. Chairman:** Perhaps, Prof. Spence, you could tell us what is your suggestion, because Sen. Yuille-Williams has the word "national" included in her suggestion.

**Sen. Prof. Spence:** She wants to add a word, I want to delete a word.

**Mr. Chairman:** Which one are you asking that it should be, Trinidad and Tobago Steel Orchestra?

**Sen. Prof. Spence:** That is what I would prefer.

**Mr. Chairman:** Sen. Yuille-Williams is saying "Trinidad and Tobago National Youth Steel Orchestra".

**Sen. Prof. Spence:** Mr. Chairman, if I can just make a point, I think that by putting the word "youth" and still leaving in "national" you are still leaving in the point that Sen. Yuille-Williams argued against. She was arguing that this should not be a national steelband, because it gives the impression that this is the elitist orchestra in the country. Whether it is youth or old, if you leave in the word "national" you still have that point to contend with, so my suggestion is to avoid it altogether, because I certainly think that if you say "the Trinidad and Tobago Steel Orchestra" you have given all that you need to give with respect to its importance in the society. I am certainly not pushing it, I am just making a suggestion. If it is not accepted I would just withdraw it. It is no big problem with me.

**Sen. Rev. Teelucksingh:** Mr. Chairman, I would like to support Sen. Prof. Spence there. If you remember Sen. Jagmohan's contribution when he asked if other areas in Trinidad and Tobago are represented, that is the kind of mentality in this country over the word "national". He pointed out something that is very important, in that, once you talk about "national" people ask, "What happen? Is St. Patrick, La Brea, or Toco represented?" Just by the use of that word. I think it would be better if the word is deleted. I have no problem with "Trinidad and Tobago Steel Orchestra".

**Sen. Montano:** Mr. Chairman, I am prepared to support that position and to withdraw the position on use of the word "youth". If we can take out the word "national" then I think that it accomplishes not exactly what we were looking for, but it accomplishes more or less close to what we were looking for.

**Sen. Dr. Phillips:** Mr. Chairman, on the whole issue of the word "national" our position is that we think it should be "national". Whether persons from Penal or whatever part of the country one actually on the orchestra as members, we think the procedures which we used: bands affiliated to Pan Trinbago named persons, we advertised in the press and persons with suitable qualifications were selected. We think it should represent our national effort and expertise, and we would go with keeping the term "national".

**Sen. Prof. Ramchand:** Mr. Chairman, I was hoping that "national" would be deleted without my talking, but I just have to say that many of my misgivings about the Bill and the way the Minister defined the orchestra, leaves me to query. It is not really national, so I would like the removal of the word "national".

The word "national" raises all kinds of emotions about what is national and what is national culture, so I would remove the word and avoid that controversy.

**6.35 p.m.**

**Sen. Kuei Tung:** I do not agree with you. If one recalls the history of names of steelbands in Trinidad and Tobago one would understand the confusion that could arise. There is Neal and Massy Trinidad All Stars. If you want a band that would cause total confusion overseas, let any foreigner ask you: What does Neal and Massy Trinidad All Stars mean? It means absolutely nothing. This is our national steelband that is paid for by the Government.

We have begun to knock these young people—it is unfortunate that they are here—without giving them a chance to aspire to something. This is going to be the National Steel Orchestra of Trinidad and Tobago. There is no two ways about it. If we do not give it a chance and start pulling it aside because you are worried about its name and national pride, it would never become the National Steel Orchestra of Trinidad and Tobago.

You are being asked, as a Parliament, to give a life to something that we would all be proud of one day, but that long journey cannot start without that first step. Saying "Trinidad and Tobago Steel Orchestra" really means nothing. It could be any steel orchestra that came from Trinidad and Tobago and there are millions. If you say the Trinidad and Tobago National Steel Orchestra, you are talking about a representative of the Government. In my view, that makes a big difference. I think we should give them a chance by saying, "We are giving you this opportunity to wear our name with pride. You are the national steelband of Trinidad and Tobago. You are not Trinidad All Stars." Trinidad All Stars could very well have been a national steelband but who would know that.

**Sen. Prof. Ramchand:** What we are talking about is the use of the definite article which is quite different from the term "The Trinidad and Tobago Steel Orchestra". That is the definite article which tells you, without having to put in the word "national" that that is the national steel orchestra. It is not "a" or "one of", it is "the".

**Sen. Kuei Tung:** What I know is that I have seen steelbands up there create confusion in people's mind. Even former Trinidadians who are up there do not know what you are talking about when you go up there, and you have to start promoting this as a national steelband, or "the" national steelband—whatever you call it.

**Sen. Prof. Spence:** Mr. Chairman, now I think we are really getting in deep water here. We now have a Government cultural effort. I thought culture was of the people, I did not know it was directed by the Government. I understand the Government—given its focus, direction and support—but now we are saying that this is a Government cultural thing. So, if another steelband arises in Trinidad and Tobago, by virtue of those who do not want to be part of this national orchestra, and create a steelband which is better in performance, so what? Why are you dictating in advance that this must be the best steelband in Trinidad and Tobago? Sure, it must be very good—

**Sen. Mark:** Mr. Chairman, if I may, with regard to the fact that this is a policy question, I would like to propose to the Senators here, that we go with the term here and we can discuss it at the Cabinet level, because it is a policy question. What we would do is that, given for instance the consideration, it has to go to the other place and we would probably debate it at that level, and if there is anything we will bring it back up if there are amendments, and we will take it from there.

**Sen. Montano:** Take it back one time and bring it back when you are ready, and all we would do is to—*[Interruption]*

**Sen. Mark:** No, no. That particular area is causing some problems—*[Interruption]*

**Sen. Montano:** You pulled that one on us before, you know—*[Cross talk]*

**Sen. Mark:** What have we pulled before, do you want us to define?

**Sen. Prof. Spence:** I would withdraw my amendment.

**Mr. Chairman:** Sen. Yuille-Williams, would you stay with your proposed amendment?

**Sen. Yuille-Williams:** Mr. Chairman, I wish to respond to the Minister of Finance in the presence of the others here. I think it was unfortunate that he said that we were knocking the young people here today, because we tried to be very skilful and to compliment them. We never did try to knock them. In fact we were

looking for what we consider to be the best way to put this on foot. It was a serious, honest attempt to have it done the correct way. In fact, when Sen. Dr. McKenzie said nobody was going to be removed, we supported that. We were going along with what we thought could be the best route. That is why I said “youth”. I looked at them there and I felt we wanted to keep the entity in such a way.

So, it was not knocking them, it was giving them more support than I think the Government decided to give through what they have said. That is why I still say it.

**Mr. Chairman:** Okay, the question now is: Are you continuing to propose the amendment or will you withdraw in light of what was said?

**Sen. Yuille-Williams:** Since it is going back to “national”, I will still continue to go as the “Youth Orchestra”.

**Mr. Chairman:** But the proposal for the Trinidad and Tobago Steel Orchestra has been withdrawn. *[Interruption]* No, Sen. Prof. Spence has already withdrawn. The question now is whether Sen. Yuille-Williams would maintain the proposal before this committee, and if yes, I shall put it to this House.

**Sen. Yuille-Williams:** Yes. Thank you.

*Question on amendment [Sen. J. Yuille-Williams] put and negatived.*

**Sen. Prof. Spence:** Mr. Chairman, before you put clause 3 in its entirety, may I ask your advice on the matter?

**Mr. Chairman:** Yes.

**Sen. Prof. Spence:** I want to propose later on that the Board should include an additional member, the musical director/conductor. Should I, therefore, put that terminology in the definition, as well? If so, it would be “musical director/conductor appointed in accordance with clause 7”.

**Sen. Montano:** I think clause 3 is a definition clause. *[Interruption]*.

**Sen. Prof. Spence:** I intend to bring a few *[Interruption]* Pardon me?

**Mr. Chairman:** I do not think it will be appropriate in clause 3.

**Sen. Prof. Spence:** It is not necessary to define the word if you are going to use it later on?

**Mr. Chairman:** No.

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*Question put and agreed to.*

*Clause 3 ordered to stand part of the Bill.*

*Clause 4.*

*Question proposed, That clause 4 stand part of the Bill.*

**Mr. Chairman:** Part II, there are clauses 4 to 12, but there is the same question of insertion of “Youth” between the words “National” and “Steel Orchestra”.

**Sen. Yuille-Williams:** Mr. Chairman, based on what has happened before, this will have to be withdrawn.

**Mr. Chairman:** All right.

*Question put and agreed to.*

*Clause 4 ordered to stand part of the Bill.*

**6.45 p.m.**

*Clause 5.*

*Question proposed, That clause 5 stand part of the Bill.*

**Sen. Prof. Spence:** Mr. Chairman, I propose an amendment to clause 5. There should be a subclause (d) which reads as follows:

“Subclause (1)

- (i) Delete the word “and” at the end of paragraph (b)(iii) and (iv).
- (ii) At the end of paragraph (c) add the words “and;”
- (iii) Add a paragraph (d) to read as follows:
  - ‘(d) the musical director/conductor shall be an ex-officio member of the Board.’”

**Sen. Dr. Phillips:** We have no problem with that, Mr. Chairman.

*Question put and agreed to.*

*Clause 5, as amended, ordered to stand part of the Bill.*

*Clauses 6 to 8 ordered to stand part of the Bill.*

*Clause 9.*

*Question proposed, That clause 9 stand part of the Bill.*

**Sen. Dr. Phillips:** Mr. Chairman, I wish to amend clause 9 as follows:

“In subclause (1) substitute the word “Secretary” for the word “Chairman”.

*Question put and agreed to.*

*Clause 9, as amended, ordered to stand part of the Bill.*

*Clauses 10 to 12 ordered to stand part of the Bill.*

*Clause 13.*

*Question proposed, That clause 13 stand part of the Bill.*

“Subclause (2)

- (i) Delete the word “and” in paragraph (e).
- (ii) Delete the period at the end of paragraph (f) and add the following words “; and”.
- (iii) Add a paragraph (g) to read as follows:  
‘(g) any other monies.’”

**Mr. Chairman:** There is also a proposed amendment by Sen. Yuille-Williams.

**Sen. Yuille-Williams:** Mr. Chairman, I will take the Minister on her word that when the orchestra goes out to play, it is not a paid performance. I withdraw it.

*Amendment withdrawn.*

*Question put and agreed to.*

*Clause 13, as amended, ordered to stand part of the Bill.*

*Clause 14 ordered to stand part of the Bill.*

*Clause 15.*

*Question proposed, That clause 15 stand part of the Bill.*

**Sen. Dr. Phillips:** Mr. Chairman, I wish to amend clause 15 as follows:

“In subclauses (2), (3) and (5) substitute for the word ‘Orchestra’ the word ‘Board’.”

*Question put and agreed to.*

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*Clause 15, as amended, ordered to stand part of the Bill.*

*Clause 16 ordered to stand part of the Bill.*

*Clause 17.*

*Question proposed, That clause 17 stand part of the Bill.*

**Sen. Dr. Phillips:** Mr. Chairman, I wish to amend clause 17 as follows:

“In subclause (1) substitute for the word ‘Orchestra’ in line one, the word ‘Board’.”

*Question put and agreed to.*

*Clause 17, as amended, ordered to stand part of the Bill.*

**7.00 p.m.**

*Clause 18.*

*Question proposed, That clause 18 stand part of the Bill.*

**Sen. Dr. St. Cyr:** Mr. Chairman, I am wondering whether by making the change in clause 17 we erred? My understanding is that the corporate body is the orchestra.

**Sen. Cuffy Dowlat:** The National Steel Orchestra Board that is incorporated under Part II, clause 4.

**Sen. Prof. Ramchand:** What you are saying is that when you refer to “orchestra” I have to understand it to mean “orchestra board”? *[Interruption]*

*Question put and agreed to.*

*Clause 18 ordered to stand part of the Bill.*

*Clause 19.*

*Question proposed, That clause 19 stands part of the Bill.*

**Mr. Chairman:** The following amendment to clause 19 is proposed:

“In subclause (1), substitute for the word ‘Orchestra’ the word ‘Board’.”

*Question put and agreed to.*

*Clause 19, as amended, ordered to stand part of the Bill.*

*Clause 20.*



*Question proposed, That clause 20 stand part of the Bill.*

**Sen. Prof. Ramchand:** So, “orchestra” means “board”, “board” means “board” and “orchestra board” means “board”? Everything means board?

**Sen. Cuffy Dowlat:** No, “board” means “Trinidad and Tobago National Steel Orchestra Board”; it started under clause 4 which states:

“There is hereby established for the purposes set forth in this Act, a body corporate to be known as the Trinidad and Tobago National Steel Orchestra Board.”

It is very clear.

**Sen. Prof. Ramchand:** So, “orchestra” means what?

**Sen. Cuffy Dowlat:** “Orchestra” means “the Trinidad and Tobago Steel Orchestra” established by section 21.

**Sen. Prof. Ramchand:** That is why it is being changed to “Board” in certain places?

**Hon. Senator:** Yes.

**Sen. Prof. Ramchand:** But when you want to refer to the board you would be deleting “orchestra” and putting in “board”.

**Sen. Cuffy Dowlat:** When you are referring to the corporate body it is the Trinidad and Tobago National Steel Orchestra Board.

**Sen. Prof. Ramchand:** Good.

*Question put and agreed to.*

*Clause 20 ordered to stand part of the Bill.*

*Clause 21 ordered to stand part of the Bill.*

*Clause 22.*

*Question proposed, That clause 22 stand part of the Bill.*

**Sen. Yuille-Williams:** Mr. Chairman, I beg to move that clause 22 (i) and (ii) be amended as follows:

“(i) In subclause (1), line two, place a period after the word ‘repertoire’ and delete all the words thereafter.

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(ii) Subclause (2)

- (a) Delete the word ‘and’ at the end of paragraph (b);
- (b) Add the words ‘;and’ at the end of paragraph (c);
- (c) Add a paragraph (d) to read as follows:

‘(d) any other functions as may be determined by the Board.’”

Mr. Chairman, this also relates to what we have just spoken about. I am not trying to be critical here, but, for example, when the hon. Minister gave a list of the engagements that the National Steel Orchestra had, I was not really comfortable because I felt that those were not events in which we would really want the National Steel Orchestra to participate. We have to look at it. It is not for every little function or engagement. When the Minister gave a listing I thought that I would not have permitted that for the National Steel Orchestra.

When I spoke about payment for performances, I am not saying that we would go to performances and do it for free. In fact, we have to decide on what occasions the National Steel Orchestra should perform. Therefore, I said that “it should be the responsibility of the orchestra to maintain a varied repertoire.”

**Mr. Chairman:** Senator, we are dealing with clause 22, not 23.

**Sen. Yuille-Williams:** In view of what has been said before, now that the word “national” has come back into it, I think that seems to be a subsequent fall out from the whole thing.

**Mr. Chairman:** So, you are withdrawing it?

**Sen. Yuille-Williams:** Yes, I do not have a choice.

**Mr. Chairman:** The Senator has withdrawn her proposed amendment to clause 22.

*Question put and agreed to.*

*Clause 22 ordered to stand part of the Bill.*

*Clause 23.*

*Question proposed, That clause 23 stand part of the Bill.*

**Sen. Yuille-Williams:** Mr. Chairman, I propose that clause 23 be amended as follows:

“it shall be the responsibility of the orchestra to maintain a varied repertoire.”

end of story.

“suitable for performances at national, international, religious and other cultural events”

takes us a little way out from what I think it should because it directs to some of the areas in which we are sending the orchestra because it comes in as the function of the orchestra in 23(2). I would just say “it shall be the responsibility of the Orchestra to maintain a varied repertoire” in there and delete the rest. In (2) we have spelt out the functions of the orchestra. *[Interruption]*.

**Sen. Kuei Tung:** I am making a counter suggestion “suitable for performance at national and international events.” I think you are concerned about them being seen playing at any religious or cultural event. But I would really like to see—

**Sen. Yuille-Williams:** The focus would be lost and they will be running off to a number of cultural and religious things all about. That is not the focus so, I have said varied repertoire.

**Sen. Kuei Tung:** Considering religious and cultural I want them to beat the National Anthem of China. *[Interruption]*.

**Sen. Yuille-Williams:** “On a varied repertoire” would take them to any part of the world—Mr. Chairman sorry for that interruption—in an effort to get religious and cultural events suitable for performance at national and international events together with it. That is what I said just now, that some of it was repetitive because if you go to the following page “local seminars and conferences which have international participation and national celebrations and state functions”, there is also a repetition there, and I took out “as well as regional and international concerts” because it is all repetition and we need to tidy it up.

**7.10 p.m.**

Mr. Chairman, one of the things I had said is from the time you start talking about local seminars and conferences and identifying all these occasions we are losing it. I think we need to go for the total package, national and international events which would cover all the rest.

**Mr. Chairman:** That is clause 23(i), what about clause 23(ii)? I am talking about both. It is agreed in clause 23(i) that you have accepted the suggested amendment that we stop at the word “repertoire”. The second part of the suggestion is that we also stop at the word “functions”.

**Sen. Dr. Phillips:** No. We are keeping clause 23(ii).

**Sen. Yuille-Williams:** When I read how it was written, there was a little error in it. I am saying there is some repetition in clause 23(i) and 23(ii).

**Sen. Dr. Phillips:** Not again. We are stopping at the word “repertoire” and we would keep clause 23(ii).

**Mr. Chairman:** Will you withdraw the amendment to clause 23(ii)?

**Sen. Yuille-Williams:** Yes, I am withdrawing it. I thought there was an error because you could not stop after the word “functions”. But I want to make an observation. I think we could be much tidier in clause 23(2)(a) which says:

“(a) local seminars and conferences which have international participation;”

I do not know why we chose seminars and conferences because there are several other things with international participation. I cannot remember the words now, but seminar could be one participation, conference could be something else, and there might be several others. I do not know how we could tidy it up in such a way that if there are any outside seminars and conferences, what do you do instead of identifying these discrete events? I think we need to have that much tidier.

**Sen. Mark:** We are trying to take into account any other functions as may be determined by the board, so it would take into account some of the points which you are making which may not be incorporated in the two items under clause 23(ii).

**Sen. Jagmohan:** If the board begins to behave like a runaway horse?

**Mr. Chairman:** Are we on clause 23(ii)?

**Sen. Dr. Phillips:** I am suggesting you add subclause (d) to read “Any other functions as determined by the board.

**Sen. Yuille-Williams:** If we have “functions which have international participation;” could I take out the words “local seminars and conferences”?

**Sen. Cuffy Dowlat:** No, no.

**Sen. Mark:** Mr. Chairman, let us deal with this amendment and take into account Sen. Yuille-Williams’ concerns.

**Mr. Chairman:** As far as I am concerned, a proposal for clause 23(ii) has been withdrawn. What we are now considering is a proposed amendment by the

Minister to add a subclause (d) to clause 23(ii), the words “any other functions as may be determined by the board.”

**Sen. Dr. Phillips:** Mr. Chairman, I beg to move that clause 23(i) be amended as follows:

- “(i) In subclause (1), line two, place a period after the word “repertoire” and delete all the words thereafter.”

It reads:

“It shall be the responsibility of the Orchestra to maintain a varied repertoire.”

Clause 23(ii) is amended as follows:

- “(ii) Subclause (2)
- (a) Delete the word “and” at the end of paragraph (b).
  - (b) Add the words “; and” at the end of paragraph (c).
  - (c) Add a paragraph (d) to read as follows:
  - “(d) any other functions as may be determined by the Board.”

*Question put and agreed to.*

*Clause 23, as amended, ordered to stand part of the Bill.*

*Clause 24.*

*Question proposed, That clause 24 stand part of the Bill.*

**Sen. Dr. Phillips:** Mr. Chairman, I beg to move that clause 24 be amended as follows:

“Substitute for the words ‘approval by the Minister’ the words ‘recommended by the Board and approved by the Minister’.”

It now reads:

“The members of the Orchestra shall be paid such remuneration and allowances as may be recommended by the Board and approved by the Minister.”

*Question put and agreed to.*

*Clause 24, as amended, ordered to stand part of the Bill.*

*Clause 25 ordered to stand part of the Bill.*

**Sen. Prof. Ramchand:** Mr. Chairman, I am not asking or debating anything, I would just like you to read clause 20 for me.

**Mr. Chairman:** Since this was already dealt with I need the leave of the Senate to revert to clause 20 for any new proposed amendments. Do I have the Senators approval?

*Clause 20 recommitted.*

*Question proposed, That clause 20 stand part of the Bill.*

**Sen. Dr. Phillips:** Mr. Chairman, I beg to move that clause 20 be amended by substituting the word “Orchestra” with the word “Board”.

It reads:

“The financial year of the Board shall be the twelve month period ending on the 30th of September in any year.”

*Question put and agreed to.*

*Clause 20, as amended, ordered to stand part of the Bill.*

**Mr. Chairman:** We now return to the title. Sen. Yuille-Williams, we still have the long title and in the light of the discussions—

**Sen. Dr. Phillips:** Mr. Chairman, that has been withdrawn.

**Sen. Yuille-Williams:** That does not mean that I am not committed to what I said in the first place, Mr. Chairman.

**Mr. Chairman:** The Senator has withdrawn the proposed amendment to the long title.

*The Preamble ordered to stand part of the Bill.*

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

*Senate resumed.*

*Bill reported, with amendment; read the third time and passed.*

#### ADJOURNMENT

**The Minister of Public Administration (Sen. The Hon. Wade Mark):** Mr. Chairman, before adjourning the Senate to Tuesday, April 13, 1999, I would like to inform fellow Senators that we are going to be dealing with the Motion on Land

*Adjournment*

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Acquisition and proceed to “An Act to amend the Venture Capital Act, 1994”; “An Act to provide for the Registration of Charges on Motor Vehicles and for matters incidental thereto”; “An Act to establish the Criminal Injuries Compensation Board; “An Act to establish a system of plea discussions and plea agreements and matters incidental thereto” and the remaining Bills will follow.

Mr. President, I beg to move that the Senate do now adjourn to Tuesday, April 13, 1999 at 1.30 p.m.

*Question put and agreed to.*

*Senate adjourned accordingly.*

*Adjourned at 7.25 p.m.*