

*Leave of Absence**Tuesday, August 10, 1999***SENATE***Tuesday, August 10, 1999*

The Senate met at 10.30 a.m.

PRAYERS[MR. PRESIDENT *in the Chair*]**LEAVE OF ABSENCE**

Mr. President: Hon. Senators, leave of absence has been granted to Senator Professor Kenneth Ramchand for the period August 04—14, 1999.

SENATOR'S APPOINTMENT

Mr. President: I have received the following communication from His Excellency, the President of the Republic.

“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 Professor Kenneth Ramchand 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, 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 appoint you, KENNETH AYOUNG-CHEE, to be temporarily a member of the Senate, with immediate effect and continuing during the absence from Trinidad and Tobago of the said Senator Professor Kenneth Ramchand.

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 9th day of August, 1999.”

Oath of Allegiance

Tuesday, August 10, 1999

OATH OF ALLEGIANCE

Kenneth Ayoung-Chee 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 Rio Claro Regional Corporation for the period October 01, 1991 to December 31, 1991.
[The Minister of Public Administration (Sen. The Hon. Wade Mark)]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the Accounts and Financial Statements of the Rio Claro Regional Corporation for the year ended December 31, 1992. *[Hon. W. Mark]*
3. Report of the Auditor General of the Republic of Trinidad and Tobago on the Accounts and Financial Statements of the Mayaro Regional Corporation for the year ended December 31, 1991. *[Hon. W. Mark]*
4. Report of the Auditor General of the Republic of Trinidad and Tobago on the Accounts and Financial Statements of the Mayaro Regional Corporation for the period October 01, 1991 to December 31, 1992. *[Hon. W. Mark]*
5. Report of the Auditor General of the Republic of Trinidad and Tobago on the Accounts and Financial Statements of the Nariva/Mayaro County Council for the period January 01, 1991 to September 30, 1991. *[Hon. W. Mark]*

**TRINIDAD AND TOBAGO ASSOCIATION OF
PROFESSIONAL PSYCHOLOGISTS (INC'N.) BILL**

Question put and agreed to, That a Bill to provide for the incorporation of the Trinidad and Tobago Association of Professional Psychologists and for related matters, be now read the first time.

Bill accordingly read the first time.

The Minister of Public Administration (Sen. The Hon. Wade Mark): Mr. President, I beg to move that the next stage of the Trinidad and Tobago Association of Professional Psychologists (Inc'n.) Bill, be taken at the next sitting of the Senate.

Question put and agreed to.

ARRANGEMENT OF BUSINESS

The Minister of Public Administration (Sen. The Hon. Wade Mark): Mr. President, today is not Private Business, however I seek leave of the honourable Senate to deal with “Bills Second Reading” under Private Business before proceeding with Government Business.

Agreed to.

PROJECT EXCEL (INC’N.) BILL

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

That a Bill for the incorporation of PROJECT EXCEL and for matters incidental thereto, be now read a second time.

Mr. President, a Special Select Committee of the House of Representatives was appointed to consider and report on the Bill. The committee’s report was adopted by the House and the Bill was passed.

10.40 a.m.

Question proposed.

Mr. President: In the absence of any debate, I will put the question.

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

Question proposed, That clause 1 stand part of the Bill.

Sen. Cuffy Dowlat: Mr. Chairman, where it states: “This Act may be cited as PROJECT EXCEL (Incorporation) Act, 1998”, it should read “1999” instead of 1998; that is a typographical error.

I think there is also a typographical error in the beginning where it states: “Whereas”—

Mr. President: We are not there as yet.

Sen. Cuffy Dowlat: It is on the first page actually. I will just read some of the typographical corrections that we need to make, Mr. Chairman. The Bill should read, “An Act for the incorporation of PROJECT EXCEL and for matters incidental thereto [Assented to 1999]”, and not “assended to”.

Project Excel (Inc'n) Bill
[SEN. CUFFY DOWLAT]

Tuesday, August 10, 1999

It should read, "WHEREAS there has been established in Trinidad and Tobago, an organisation known as PROJECT EXCEL.

And whereas it is expedient that the said PROJECT EXCEL be incorporated..."

Again there is a typographical omission of the words, "the said".

Mr. Chairman: Are there any more typographical errors?

Sen. Cuffy Dowlat: When we get to clause 3.

Question put and agreed to.

Clause 1 ordered to stand part of the Bill.

Clause 2 ordered to stand part of the Bill.

Clause 3.

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

Sen. Cuffy Dowlat: Mr. Chairman, in clause 3(i), again, it is a matter of a typographical error. It should read:

"encourage and foster the formation of drug free clubs and to maintain a register of said clubs;"

It says "registrater", it should be register.

Clause 3 ordered to stand part of the Bill.

Clauses 4 to 9 ordered to stand part of the Bill.

Preamble ordered to stand part of the Bill.

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

Senate resumed.

Bill reported, with amendments, read the third time and passed.

SAWMILLS (AMDT.) (NO. 2) BILL
House of Representatives Amendments

The Minister of Agriculture, Land and Marine Resources (Dr. The Hon. Reeza Mohammed): Mr. President, in keeping with the concerns expressed by Senators at the last sitting, I beg to move,

That the House of Representatives further amendments to the Sawmills (Amdt.) (No.2) Bill 1998, listed in the appendix be now considered.

Question proposed.

Question put and agreed to.

Clause 2.

House of Representatives amendment read as follows:

- “2(b) Delete the word ‘means’ in the first line of the new definition of ‘sawmill’ and substitute the words ‘includes every sawmill compound and’;
- 2(c) Insert after the word ‘sawmills’ occurring in the fourth line of the new definition of ‘sawmill compound’ the words ‘and in reference to which the terms and conditions referred to in section 4(4) are applicable; and’;”

Sen. Prof. Kenny: Mr. President, I still have a problem with this definition of sawmill as opposed to furniture shop. The hon. Minister also has in his portfolio the fishing industry, and I am sure that he is aware that there are yards in this country which continue to build timber pirogues, and that these boat yards, in fact, handle logs for the shell of the pirogues. You can see them down at Carenage and on the east coast. Some of these boat yards use bent wood for the frame and band saws. They are clearly not furniture shops and sawmills, so what are they? They have some impact on the definition the Minister has given.

Mr. President: Are there any other contributions?

Dr. Mohammed: Mr. President, I appreciate the link that Sen. Prof. Kenny is developing between the definition, and the fact that we have the boat builders who require a dimension of stock, in a form and fashion, for the construction of their boats. The definition is concerned here—and in keeping with the further amendments being made with respect to the sawmill compound—it is felt that what is being proposed here would, in effect, have the desired impact on what we are trying to do, with respect to the legislative frame work being developed and proposed, through this honourable Senate.

It is difficult to classify and actually give a specific definition for that kind of operation in the use of the dimensional stock for the purpose of building boats, given that it cannot, *per se*, be considered as furniture. However, when we come to the other further amendment to the Bill—I think it is clause 4(3)(c)—it gives a little more flexibility with respect to the definition of furniture manufacturing and furniture shop. I hope when we come to that clause, Senator, we would deal with this issue.

Sawmill (No.2) Bill
[HON. R. MOHAMMED]

Tuesday, August 10, 1999

Mr. President, I beg to move that the Senate doth agree with the House of Representatives in the said amendment.

Question proposed.

Question put and agreed to.

Clause 4.

House of Representatives amendment read as follows:

<p>“proposed new clause 4 proposed section 3C</p>	<p>Delete the word ‘products’ wherever it occurs and substitute the word ‘furniture’.”</p>
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Sen. Daly: Mr. President, I thought the whole purpose of us taking another look at this was to exclude the furniture shops from any of the bureaucracy attendant upon sawmilling. In fact, that is not what we have done, we are now requiring furniture shops to have a permit. I thought the whole purpose of having another look at this was to exclude furniture shops from all these requirements of the sawmills legislation.

I have some difficulty with this. I thought the whole idea of moving towards freer enterprise was to rid people of the problems associated with getting licences and permits in order to run a business. I am now in favour of approaching it this way. I would just like to see an exception for furniture shops and probably pirogue makers, now that Sen. Prof. Kenny has brought it to our attention. Why does somebody making furniture have to get a licence? That is just another form of state control of enterprise.

10.55 a.m.

Sen. Prof. Spence: There are various sizes of furniture shops. I was spoken to by a gentleman I met by accident at a shoe shop last week and he made the point to me that he has a relatively small establishment which is still being under the licensing fee and so on. I think, again, even if we are going to go this way, we should look at some of the small enterprises.

Sen. Mohammed: The clause is really a very unfair provision with respect to these small furniture operators because in the area where I come from I know of many of these operations. I am looking at the fine, for example, of \$100,000. I doubt any of them could even afford to, in the event of any contravention, and for them to be even made aware of this requirement now. It would require a whole lot

of other activities and certainly if we can put in some other mechanism—I mean if you want to control the situation with the big operators who would have that kind of equipment, by all means, but the small operators would certainly be adversely affected by this.

Dr. Mohammed: Mr. President, this clause as I explained on the last occasion, we have had the experience in the industry whereby some of the furniture manufacturers were charged for the removal of logs from the state's teak fields. We continue to get reports from the Forestry Division whereby the furniture manufacturers had taken the liberty to go out there and access, without any kind of permission, the state's teak. They are transporting the small logs in short lengths at the back of pick-ups to their furniture shops. The idea here, with respect to the licences is that we need to have some measure of control on the furniture shops. We need to know where they are; how they are operating. A licence fee of \$500; a teak chair would sell for anything like \$1,000 or more. So that if a furniture manufacturer produces a cupboard or even one teak chair, this will more than recoup the expenditure incurred, by paying a licence fee of \$500. So that to continue to allow or not provide or take on board, the illegal practices of having these furniture manufacturers—and, as I said, some charges were laid very recently against furniture manufacturers stealing logs from the state's teak fields and transporting them to the furniture shops.

Furniture manufacturers, in my humble view, are not required to saw logs. They are required to transform dimensional stock, once cut by a sawmill, into furniture. This is the policy behind including this clause in this amendment.

I beg to move, that the Senate doth agree with the House of Representatives in the said amendment.

Question proposed.

Question put.

Senate divided: Ayes 16, Noes 10.

AYES

Mark, Hon. W.

Kuei Tung, Hon. B.

Theodore, Brig. The Hon. J.

Baksh, Hon. S.

Phillips, Dr. The Hon. D.

Gangar, Hon. F.

Cuffy Dowlat, Miss C.

Tota-Maharaj, Mrs.

Baksh, N.

John, S.

Gray-Burke, Rev. B.

Moore, N.

Gabriel, A.

Williams, Miss A.

Cowie, D.

Mc Kenzie, Dr. E.

NOES

Mohammed, Miss N.

Jagmohan, B.

Shabazz, M.

Alfred, Miss C.

Yuille-Williams, Mrs J.

Spence, Prof. J.

Teelucksingh, Rev. D.

Daly, M.

St. Cyr, Dr. E.

Kenny, Prof. J.

Sen. Ayoung-Chee abstained.

Question agreed to.

Clause 5 as renumbered.

House of Representatives amendment read as follows:

“Delete subclause 4A(1) and substitute the following—

- “Log
Haulage
Permit
- A. 4A(1) No person may—
- (a) extract, carry or transport logs by means of vehicle, animal or otherwise; or
- (b) use a vehicle or equipment listed in the Second Schedule for the extraction or haulage of logs within forest located in State lands or Forest reserves without a valid permit issued by the Director.”
- B. Delete the proposed section 4B.

Dr. Mohammed: I beg to move that the Senate doth agree with the House of Representatives in the said amendment.

Question proposed.

Question put and agreed to.

New clauses 6 and 7.

House of Representatives amendment read as follows:

Add new clauses
6 and 7;
Renumber existing
clauses 5 and 6 as
clauses 8 and 10;
Insert a new clause
9

Insert the following
new clause:

“Section
5 amended

6 The Act is amended in section 5 by deleting all the words beginning with the words ‘three thousand dollars’ and substituting the words ‘one hundred thousand dollars or to imprisonment for five years and in the case of a continuing offence to a further penalty of five thousand dollars for each day during which the offence continues’.”

“Section 8
amended

7. Section 8 of the Act is amended in subsection (2) by inserting after the word ‘sawmill’ occurring in line two the words ‘or the holder of a permit for a furniture shop’.”

Dr. Mohammed: Mr. President, I beg to move that the Senate doth agree with the House of Representatives in the said amendment.

Question proposed.

Question put and agreed to.

11.05 a.m.

Clause 8 as renumbered.

House of Representatives amendment read as follows:

“In the proposed section 8A(2) delete the words ‘three thousand dollars’ occurring in line three and substitute the words ‘twenty five thousand dollars or imprisonment for one year’.”

Section 10

9. Section 10 of the Act is amended by deleting all the words beginning with the words “three thousand dollars” and substituting the words “thirty thousand dollars or to imprisonment for two years.”

Dr. Mohammed: Mr. President, I beg to move that the Senate doth agree with the House of Representatives in the said amendment.

Question proposed.

Question put and agreed to.

Schedule 2.

House of Representatives amendment read as follows:

“List of equipment used for extraction of logs

1. Wheel tractors
2. Track tractors
3. Skidders/Timberjacks

4. Pegged wheel tractors
5. Feller/Bunchers
6. Trucks
7. All trailers”

Dr. Mohammed: Mr. President, I beg to move that the Senate doth agree with the House of Representatives in the said amendment.

Question proposed.

Sen. Dr. Mc Kenzie: Mr. President, I would like to find out from the hon. Minister whether pick-ups are considered under “trucks”. There are these long Land Rover pick-ups. It is not really a truck in your sense of understanding, but we know of them being used as equipment for extraction of logs from some of these places; these powerful Land Rover pick-ups. So I wanted to know whether they would come under No. 6 or whether they are excluded. I am not sure whether it is a truck or not.

Dr. Mohammed: The long-faced Land Rovers, some of them carry winches as well and it was intended that they should fall under the purview of trucks.

Question put and agreed to.

FORESTS (AMDT.) (NO. 2) BILL

House of Representatives Amendments

The Minister of Agriculture, Land and Marine Resources (Dr. The Hon. Reeza Mohammed): Mr. President, I beg to move,

That the House of Representatives amendments to the Forests (Amdt.) (No. 2) Bill, 1998 listed as Appendix II be now considered.

Question proposed.

Question put and agreed to.

Clause 3.

House of Representatives amendment read as follows:

“Delete clause 3 and substitute the following clause:

Section 2
amended

3. Section 2 of the Act is amended by—

- (a) inserting after the word ‘2’ at the commencement of this section the word ‘(1)’;

- (b) deleting the definition of the word ‘timber’ and substituting the following definition—

‘timber includes—

- (a) all species of trees listed in the Second Schedule whether standing, fallen, living or dead;
 - (b) lumber, bucked or peeled;
 - (c) logs; and
 - (d) all wood whether cut up or fashioned for a purpose or not.
- (c) deleting the definition ‘tree’ and substituting the following definition:

‘tree includes—

- (a) all species of trees listed in the Second Schedule; and,
 - (b) bamboo, palms and brushwood found growing on State lands.
- (d) inserting the following subsection:
- (2) In this Act and in any other written law, a reference to the term ‘Conservator’ or ‘Conservator of Forests’ shall be read and construed as a reference to the term ‘Director’ or ‘Director of Forestry’.

Dr. Mohammed: Mr. President, I beg to move that the Senate doth agree with the House of Representatives in the said amendment.

Question proposed.

Sen. Rev. Teelucksingh: Mr. President, I would like to share with the hon. Minister two concerns I have about this very important matter dealing with the exploitation and the preservation of our forest resources. First of all, about two

sittings ago a Paper was laid before this honourable Senate, the auditor's report on the "Financial Statements of the Trinidad and Tobago Forest Products Company Limited." This company, state enterprise, Mr. President, is in charge of some of the nation's most valuable forest assets. I would like to ask of the hon. Minister a possible update based on the auditor's statement of our state enterprise, Trinidad and Tobago Forest Products Company Limited.

Mr. President, this document reminds us that—[*Interruption*]

Mr. President: Senator, I do not think that question is relevant to this set of proposed amendments.

Sen. Rev. Teelucksingh: All right, not on the accounts of the company. Mr. President, I would like to continue because that company is in charge, as I was saying, of a sizable portion of some of the nation's most valuable forest resources and there seem to be some very serious management problems. In fact, the hon. Minister a few minutes ago, in dealing with the other Bill, spoke about the use of the forest and this company is in charge of several acres of valuable forest lands, hence the reason for my concern about serious liabilities and the Government pouring so much money into that company. The losses run into millions. For 1997 it was about \$27 million and in addition to the losses the Government poured—all right, but this is my concern. I would not go further but I would like the Minister to respond, if possible, to this.

Another concern I have, Mr. President—I want to use this opportunity. I might be on a slippery slope when it comes to the contents of the motion before us but, bear with me. I am very concerned that, just as far as our forests go, a few days ago I read in the newspapers of a pet show in Port of Spain where pythons and spitting cobras were allowed into this country and also a few years ago piranhas were brought here.

We are talking about the use and preservation of our forests and Government should not grant such permits allowing these creatures into this country. This is very important: if pythons and spitting cobras are let loose in the forests of Trinidad and Tobago, we are in serious trouble. If there is any incident or accident where these reptiles are let loose in our forests, I do not know how we could control that. I thank you very much.

Dr. Mohammed): Mr. President, I most certainly appreciate the concerns expressed by Sen. Rev. Teelucksingh. As a member of the clergy he should understand that God created all these creatures. He should also understand that we have in Trinidad and Tobago the *mapepire zanana* and *mapepire balsain* as well

as the coral snake. The intention is not to allow these cobras, spitting cobras as he described, to go—and pythons. A python is not a poisonous snake.

As a matter of fact, Mr. President, it is a friendly creature of God. So that we have indigenous species which are perhaps even more dangerous than the reptiles alluded to by Sen. Rev. Teelucksingh. Again, it is not the intention of those who brought those species here—at least for some of us locally the intention is to have a better appreciation of what a spitting cobra is and what a python is. As a matter of fact, we have pythons in the zoo, Mr. President.

With respect to the concerns regarding Tanteak, I want to agree that Tanteak does not really fall under the rubric of the amendments being made to clause 3. I want to make a little correction to the statement made by Sen. Rev. Teelucksingh. He said, if I recall correctly, that Tanteak is in charge of a significant portion of our cultivated or planted forest species, that is, our teak fields. The Forestry Division of the Ministry of Agriculture, Land and Marine Resources is in charge of those fields. There is an agreement that was signed between Tanteak and the Forestry Division of the Ministry of Agriculture, Land and Marine Resources whereby, on an annual basis, a certain number of copses were allocated to Tanteak so that Tanteak can now manage its affairs out of that feed stock which is provided to Tanteak by the Forestry Division of the Ministry of Agriculture, Land and Marine Resources.

Mr. President, with those few words I beg to move.

Question put and agreed to.

11.20 a.m.

Clause 5.

House of Representatives amendment read as follows:

Delete this clause and substitute the following:—

5. Section 7 of the Act is repealed and the following section is substituted—

<p>“Prohibition of the felling of trees</p>	<p>7.(1) A person who fells any—</p> <p>(a) tree listed in the Second Schedule;</p> <p>(b) tree on a slope of over thirty degrees, within a minimum of one hectare of land, without a Felling Permit</p>
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granted in accordance with subsection (2), commits an offence and is liable on summary conviction to a fine of twenty thousand dollars.

- (2) An owner or occupier of such land or a person authorised by the owner or occupier of land who desires to fell any tree listed in the Second Schedule shall apply to the authorised officer of the district for a permit to do so, and subject to section 7D, the authorised officer may grant such permit on such terms and conditions as may be necessary in all the circumstances.
- (3) The Minister may by Order amend the Second Schedule.

Dr. Mohammed: Mr. President, I beg to move that the Senate doth agree with the House of Representatives in the said amendment.

Question proposed.

Sen. Mohammed: Mr. President, I would like to know how this clause would actually operate in practice. Section 7(1)(b) refers to a “tree on a slope of over thirty degrees, within a minimum of one hectare of land,”. Perhaps the hon. Minister could enlighten us a bit as to what mechanisms are used for these persons to determine that the tree is on a slope of over thirty degrees. How is a measure like this going to be implemented?

Sen. Prof. Kenny: I want to add to this point. This is very, very, bad drafting. A slope is measured from point to point. What does it have to do with a hectare? In any event, the tree could be on a thirty-degree, or a forty-degree slope on a little bump in a flat land. I think what is intended is that a slope is from point A to point B. In the extraction of logs on private lands, when we debated this Bill I pointed out that the Town and Country Planning Act, 1968 did make provision for preservation for it to be put on private land, on an individual tree, crop, or woodland. We are proposing more legislation and we have not dealt with something—

Thank you.

Sen. Daly: Mr. President, I am becoming more and more disturbed because what we are doing in this piecemeal fashion is putting the control of wood under the Government and in relation to this clause, I am inviting the Government to change the punishment for felling trees without a felling permit to \$100,000 and imprisonment for one year.

This comes back to my problem of the furniture operators. The furniture operators are the receivers who may commit the primary crime of going and getting it themselves, but surely, if we are going to be concerned about the furniture operators getting illegal wood, then we should be concerned about having a fine of similar parity to the person who fells the trees that we are prohibiting against felling. So I am inviting the Government to change the punishment to \$100,000 and imprisonment for one year so that we have parity with the fine that is being imposed on the furniture operator. I want to emphasize that this is really a very bad way of going about doing legislation, because it all comes back to the fact that we have slipped into a *vaille-que-vaille* parliamentary schedule.

We came here today to do the Orisa Bill and to continue this thick Tourism Bill, and then for some reason, Project Excel was worthy of 25 minutes of parliamentary time without any explanation, and with this important matter which is just zigging and zagging all over the place. It is a very important matter and it would be idle to pretend that when we debate legislation and amendments in this kind of way in which we are doing it, we are not likely to make mistakes and to have huge inconsistencies in the legislation.

Mr. President: Are you proposing a formal amendment to the Bill?

Sen. Daly: I am not prepared to put forward an amendment in this kind of exercise. I am inviting the Government to put forward one. No disrespect meant to you, Sir, I appreciate you trying to assist me, but I am inviting them to do it. I am not actually putting it forward formally.

Sen. Dr. Mc Kenzie: Mr. President I have the same concern that I had when we debated the Bill originally. Section 7(1) (b) says:

“tree on a slope of over thirty degrees, within a minimum of one hectare of land,”

I really do not understand it, because I wonder if I have a tree on Sen. Dr. St. Cyr's land and it is within two hectares of my land on this side, I think I

understand what is probably intended. It is a tree on a slope of over thirty degrees on an acreage of land that has a minimum size of one hectare of land, but I do not think that the clause even says this.

My main concern, however, is that there seems to be no provisions for emergencies. I say this because of our own experience and the experience which we saw a few days ago on television of a tornado or storm that leans a tree near to my house, or my cow shed, or my pig pen, or whatever, and I have to wait to get a permit to fell that tree. This has been my concern originally when we debated the Bill and it still is my concern. I will tell you Sir, if that happens to me, I will cut the tree down and they will charge me \$100,000. I certainly will not wait from Friday evening for an office to open on Monday morning to get a permit and there is a storm raging for the weekend. I would get the first person who is able to tie a rope on to my tree, log it off somewhere, and cut it down and then I would say, "Take me to court, and let me explain to the magistrate." I feel that somewhere along the line we have to be careful how we make rules in this sort of tight jacket.

Dr. Mohammed: Mr. President, let me start with the concern expressed by Sen. Dr. Mc Kenzie. It is a very valid one and it is the intention to take care of that concern by way of regulations.

While Sen. Prof. Kenny may be of the opinion that the proposed section 7(1)(b) which says, a "tree on a slope of over thirty degrees, within a minimum of one hectare of land," may be badly drafted, I think he had a response before I got on my feet from Sen. Dr. Mc Kenzie. He is right, one has to take point A and point B to determine a slope, that is from physics, but I think the intention here is—and this legislation exists in Canada and the United States of America—to protect the slopes. Any unreasonable removal of the vegetated covers of these slopes, as it has been going on in the past in an *ad hoc* manner, and we continue to see the detrimental effects of this *ad hoc* removal of the vegetated cover of these slopes, thirty degrees and above, on the rate of erosion of these slopes, and by extension the siltation of our water courses and the floods which we have been experiencing.

I think the idea here is to bring within the framework of the legislation a parcel size and a second dimension, which is the thirty-degree slope, and I think it is aptly described here as enunciated in section 7(1)(b):

"tree on a slope of over thirty degrees, within a minimum of one hectare of land,"

Forests (Amdt.) (No.2) Bill
[HON. R. MOHAMMED]

Tuesday, August 10, 1999

In response to Sen. Daly's concern, Sir, we wish to thank him for the invitation.

Mr. President, I beg to move.

Question put.

The Senate divided: Ayes: 15 Noes: 11

AYES

Mark, Hon. W.

Kuei Tung, Hon. B.

Theodore, Brig. The Hon. J.

Baksh, Hon. S

Phillips, Dr. The Hon. D.

Gangar, Hon. F.

Carol Cuffy-Dowlat, Miss C.

Tota Maharaj, Mrs. V.

Baksh, N.

John, S.

Gray-Burke, Most Rev. B.

Moore, Sen. N.

Williams, Miss A.

Cowie, D.

Gabriel, A.

NOES

Mohammed, Miss N.

Jagmohan, M.

Shabazz, M.

Alfred, Miss C.

Yuille-Williams, Mrs. J.

Spence, Prof. J.

Teelucksingh, Rev. D.

Daly, M.

St. Cyr, Dr. E.

Mc Kenzie, Dr. E.

Kenny Prof. J.

Sen. Ayoung-Chee abstained.

Question agreed to.

11.35 a.m.

Clause 6.

House of Representatives amendment read as follows:

- | | |
|---|---|
| the proposed section 7A(2) | Delete the words “private lands” and substitute the words “such lands.”. |
| the proposed section 7A(5) | Delete the word “three” occurring in line four and substitute the word “twenty”; and |
| the proposed section 7B | Delete the words “three” and “six months” occurring in lines four, five and six and substitute the words “fifty” and “two years” respectively. |
| the proposed section 7C(1) | Delete the word “seven” occurring in line three and substitute the word “thirty”. |
| the proposed subsections
7C(2) and 7C(3) | Delete these subsections and substitute the following:—

“(2) Where a permit has been granted under this Act the holder of the permit may apply to the Director for an extension, prior to the expiry of such permit; and

(3) The Director shall grant an extension of the permit for a period not exceeding two weeks and the fee payable shall be ten dollars per week.” |

the proposed section 7D

Delete and substitute the following—

“7D. The grounds for the refusal of a permit shall be—

- (a) prior revocation of any permit granted under this Act;
- (b) conviction for a forest offence; or
- (c) any other ground prescribed by the Minister from time to time.”

the proposed section 7F(1)

Delete the words “ten cubic metres (350 cubic feet)” and substitute the words “fifteen cubic metres (416 hoppers cubic feet)”.

the proposed section 7F(3)

A Insert after the word “the” at the commencement of line two the words “Removal Permit and the”; and

B Delete the words “mark.” and substitute the words “and removal mark prior to the grant of such permit.”.

the proposed section 7F(4)

Delete the word “three” occurring in line three and substitute the word “ten”.

Dr. Mohammed: Mr. President, I beg to move that the Senate doth agree with the House of Representatives in the said amendment.

Question proposed.

Sen. Dr. St. Cyr: Mr. President, I am concerned about the cause for the amendment of 7D, in particular (c):

“any other ground prescribed by the Minister from time to time.”

I think that we should either not give such a *carte blanche* authority or discretion, or at the very least we should have it come to Parliament for a minimum negative resolution.

Sen. Dr. Mc Kenzie: Mr. President, I would like to suggest that that clause be deleted.

Dr. Mohammed: Mr. President, there is a rationale for including that subclause there:

“any other ground prescribed by the Minister from time to time.”

We have to understand that we must have a measure of flexibility within the framework of any legislation and, in this particular case, what has been happening, as we are no doubt very well aware, the timber industry international—and we have had very good information from the International Tropical Timber Association on these matters, and I think the information which came out from them informed the introduction of this subclause (c) here:

“any other ground prescribed by the Minister from time to time.”

An evolutionary process is taking place in the international timber scenario. Even though we are very small here, we have seen what has happened to us recently with respect to the international oil price and the national commodities prices and the impact it has had on our economy. So, I think in the wisdom of the advisors who informed this particular clause, it is in keeping with the evolutionary process which is taking place globally. It was felt that in addition to the authority vested in the Director of Forestry, that some measure of authority should be vested at the level of the Minister, and this is why that is included.

Sen. Prof. Spence: Mr. President, I wonder if I could ask: How is the public to be informed of this prescription? Is it that this should come in regulation which would then be presented? There is nothing to tell us how one is to know when these new conditions are prescribed. I think, myself, that it would be best if, at the minimum, it came in regulations which would be laid in Parliament.

Dr. Mohammed: Mr. President, I thank Sen. Prof. Spence for raising this issue here because the intention is precisely that which he expressed: information for the public or whomever, by way of regulations.

Mr. President, I beg to move.

Sen. Prof. Spence: But, does it say so in the amendment?

Dr. Mohammed: I do not think that we will have a problem in saying so in this clause, that it can be made by way of regulation. I have no problem with that, Mr. President.

Sen. Prof. Spence: Mr. President, I would be happy if we could say at least, “any other grounds prescribed by the Minister from time to time by way of Regulations”, if that is valid legal phraseology.

Dr. Mohammed: Mr. President, can we consider “by way of Order”, rather than “by way of Regulations”, as in the original Act?

Mr. President: Sen. Prof. Spence, will that satisfy you, “by way of Order”?

Assent indicated.

Question put, on amended amendment, and agreed to.

Clause 7.

House of Representatives amendment read as follows:

- | | | |
|--------------------------|---|---|
| (Amendment to section 8) | A | Delete in paragraph (a) the word “five” and substitute the word “twenty”. |
| | B | Delete the words “one thousand dollars” and substitute the words “fifty thousand dollars and imprisonment for two years”. |

Dr. Mohammed: Mr. President, I beg to move that the Senate doth agree with the House of Representatives in the said amendment.

Question proposed.

Question put and agreed to.

Clause 8.

House of Representatives amendment read as follows:

- | | |
|---------------------------|---|
| (Amendment to section 10) | Delete the words “five” and “six months” occurring in lines four and five, and substitute the words “fifty” and “two years” respectively. |
|---------------------------|---|

Forests (Amdt.) (No.2) Bill

Tuesday, August 10, 1999

Dr. Mohammed: Mr. President, I beg to move that the doth agree with the House of Representatives in the said amendment.

Question proposed.

Question put and agreed to.

Clause 9.

House of Representatives amendment read as follows:

Insert new clause and Renumber subsequent Clauses	Insert the following new clause: “Section 14 amended
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9. Section 14(1) of the Act is amended by—

- (a) deleting the words “felling” and “removing”; and
- (b) deleting the word “forty” in line six and substituting the words “five hundred.”.

Dr. Mohammed: Mr. President, I beg to move that the Senate doth agree with the House of Representatives in the said amendment.

Question proposed.

Question put and agreed to.

Clause 10.

House of Representatives amendment read as follows:

(Amendment to section 18)	Delete the words “ten” and “two years” and substitute the words “one hundred” and “five years” respectively.
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Dr. Mohammed: Mr. President, I beg to move that the Senate doth agree with the House of Representatives in the said amendment.

Question proposed.

Question put and agreed to.

*Clause 11.**House of Representatives amendment read as follows:*

(Amendment to section 21)

Delete clause 11 and substitute the following:

Section 21
amended

11. Section 21(1) of the Act is amended:

- (a) by deleting the words “a Forest Officer” and substituting the words “the Director of Forestry”; and
- (b) in paragraph (a), by deleting the words “not exceeding four hundred dollars” and substituting the words “not less than five hundred dollars but not more than twenty five thousand dollars”.

Dr. Mohammed: Mr. President, I beg to move that the Senate doth agree with the House of Representatives in the said amendment.

*Question proposed.**Question put and agreed to.***11.50 a.m.**

Sen. Prof. Kenny: Mr. President, I am appalled that this Senate is being asked to agree with this Schedule. Last week there was a meeting of the technical people and I communicated certain information to Sen. Mahabir-Wyatt who is our representative. Regarding this Schedule, there are several errors and I think that it is appalling that a week later, we are given exactly the same thing. I am totally opposed to this. I cannot vote, there are several errors in it, the spelling.

Mr. President, what is really remarkable is that the Ministry of Agriculture, Land and Marine Resources has been publishing the flora of Trinidad and Tobago since 1922. All these trees here are listed in the flora. The taxpayers of Trinidad and Tobago actually fund the National Herbarium. All that was necessary was to send this to the National Herbarium and say: “give us the proper names”. The Ministry of Agriculture—I did not say the Minister of Agriculture, but the Ministry of Agriculture—is not aware of the specific name of the Mahogany. I cannot see this Bill being passed in this form.

Sen. Prof. Spence: The problem seems to be with the Schedule because some of the things listed are really not timber species; what we are trying to do here is to tackle the problem of endangered species in this Bill. I do not think this could have been the intention, because we have other legislation dealing with endangered species. It was dealt with in the Environmental Management Authority Act, the National Parks and Wild Life Act and so forth. I do not think that some of the things which were scheduled, really, could have been intended on the basis of this Bill.

I would like to suggest that we delete this clause—the Minister has the power to amend the existing Schedule by Order—that he review or get his technical people to review this list; making sure that the species mentioned are only those that are directly relevant to the intent of this Bill and that the corrections be made where there are errors in the spelling. I suggest that this clause be deleted.

We do not want to address this in a partisan way. This is too important a matter for us to address something because it is—[*Inaudible*]

Sen. Daly: Mr. President, I really do not know anything about the spelling of wood but I think it would be quite dismal for us to put into legislation a schedule—it is not just spelling. Prof. Kenny tells me that “sp” means indeterminate species. I suppose “sp” might apply to spitting pythons—which brings me to the question of spitting pythons. I suppose it would be argued next—it was argued in relation to “sp,” spitting pythons—that there were snakes that were more poisonous than the snakes abroad. I suppose that is a good argument for importing bad spelling.

What is the name of the island that the PNM like to go to? Tuvalu, one attorney general argued that it might be Tuvalu. I suppose that it might be argued, like the snakes being less poisonous abroad, the spelling might be worse abroad so we can keep the bad spelling and the wrong references.

Of course, it might defeat the purpose on this occasion if we simply had a vote. I really would like to appeal to the Minister if these things are spelt wrong and if these species are wrongly named—well apparently we are going to have a long day today, perhaps we can do something else in the mean time, but at least we could take this particular shame off our face. We cannot just mumble along and put rubbish in the statute books because we are pressed for time or because we have some kind of *vaille-que-vaille* timetable.

I know what the Minister did with my last invitation, but let me extend another one: let me invite him to feel ashamed as I would if I were to put a Schedule like this, that has these defects, into our legislation. I invite him to share my shame and therefore to accept my invitation to, at least, leave this Schedule until later and perhaps a correct one can be prepared.

Sen. Dr. St. Cyr: Mr. President, on a slightly different note, the practice of managing both departments, is it practical? Would one also need to get a permit?

Dr. Mohammed: Mr. President, I am advised that even though there are some errors with respect to the spelling of the common names as well as the botanical names, the necessary corrections would be appropriately made before the Schedules are gazetted.

Secondly, the question of the species—I heard reference made to trees that are considered to be endangered species—I think, Sen. Prof. Spence, some of the species which are considered to be endangered species were factored into the framework of the Second Schedule for the purpose of giving them some measure of protection. If that would satisfy your concern.

In the case of Sen. Daly, I want to admit that Sen. Daly and I share the same kind of shame in that, we are both equally shameful or shameless, whichever way you want to put it.

In connection with Sen. Prof. Kenny's concerns: yes, there are typographical errors, this matter was drawn to the attention of the relevant authorities. The document unfortunately came back in this form and fashion, but I feel that we still have an opportunity to make the necessary corrections at this stage before the *Gazette* comes out.

Sen. Prof. Kenny: I wonder whether the Minister is making the assumption that when it is done it will be to our satisfaction. I cannot vote for something on the assumption that it will be corrected!

Dr. Mohammed: I want to give you the assurance that before the thing is gazetted, it will be appropriately corrected.

12.00 Noon

Sen. Prof. Spence: Mr. President, I do not understand what the Minister is talking about gazetted. This is not a matter of an order which is going to be gazetted, but a matter of legislation which has to be passed and then approved by the President. This Schedule is going along with the amendments that we are

passing as legislation; it is not a matter of gazetting, Mr. President. I think it would be most unfortunate if, because there are errors, this was passed by the Government exercising its majority. I think that would be most unfortunate. [*Crosstalk*]

Sen. Mohammed: Mr. President, we are here to ensure that good legislation is made, and we certainly would like to see the corrections made.

Mr. President: Are there any other contributions before the Minister rises again?

Dr. Mohammed: Mr. President, I would like to give the assurance to this Senate—Prof. Kenny has submitted some corrections to the Schedule to deal with his concerns about misspelling and typographical errors—that at some stage during today’s proceedings we will have the necessary corrections made, if that is in accordance with the Senators on that side.

Mr. President, I beg to move.

Mr. President: Is this for deferring the matter?

Dr. Mohammed: I cannot move this matter.

Question on deferral put and agreed to.

Mr. President: Hon. Senators, we move on to Motion No. 4.

LAND ACQUISITION

The Parliamentary Secretary in the Ministry of Housing and Settlements (Sen. Carol Cuffy Dowlat): Mr. President, I beg to move the following Motion standing in the name of the Minister of Housing and Settlements:

Be it resolved that this Senate approve the decision of the President to acquire the lands described in Appendix IV for the public purposes specified.

This honourable Senate is being asked to approve the decision of the President to formally acquire a parcel of land comprising 528.5 square metres more or less, situate at Granville Beach, Cedros, in the Ward of Cedros in the county of St. Patrick and said to belong, now or formerly, to Mr. Francis Chimming. The subject acquisition is at the request of the Minister of Local Government.

On November 3, 1960, a parcel of land comprising 7,501 square feet was compulsorily acquired by the state for the construction of the Granville Beach car park. During construction the state occupied a greater portion of the land than was acquired, thereby encroaching upon private lands comprising 528.5 square metres, situate at Granville Beach Cedros in the ward of Cedros.

This Government is committed to improving and fostering healthy lifestyles, and one mechanism the Government has put in place to achieve this ideal is to encourage the development of recreational and holiday facilities to cater for our citizens.

We recognize that proper management of our natural resources and environment is absolutely essential for Trinidad and Tobago to achieve sustainable economic and social development. We are, therefore, taking steps to develop attitudes which will encourage sustainable utilization of our environment and national resources.

The Granville Beach car park is a case in point. This facility is used by our citizens as well as foreign visitors. The citizens of Cedros, in particular, have benefited from this car park facility, and it is now incumbent on the Government to acquire the parcel of land encroached upon and hasten payment to the owner of this parcel of land, since this matter is outstanding since 1960. Mr. President, more detailed information on the parcel of land comprising 528.5 metres squared, and said to belong to Mr. Francis Chemming can be obtained in a survey plan filed in Book 1140, Folio 184, in the vault of the Lands and Surveys Department, Red House, Port of Spain.

The procedure for the acquisition of land for public purposes is standard, and we have brought these matters to this honourable Senate from time to time. On this occasion, we are honoured to expedite this process, and I beg to move.

Question proposed.

Sen. Dr. Eastlyn Mc Kenzie: Mr. President, I feel consoled that lands utilized in 1960 received the attention so long overdue. I commend the Government for this move, long delayed though it is.

Before I comment further, I seek your kind permission, in reference to some matters related to acquisition of lands in Tobago. At this point I would like to very warmly commend the Parliamentary Secretary in the Ministry of Housing and Settlements, and before her, Sen. Virimala Tota-Maharaj, with whom we were working behind the scenes. I want to tell you that on May 7, upon very short request made to the Parliamentary Secretary, Sen. Carol Cuffy Dowlat, while she acted as Minister of Housing and Settlements, to come to Tobago to meet with several members of the public affected by lands belonging to them being used and not being acquired, and hence not being paid for, she responded very readily, and a very high-powered team visited Tobago on May 7, and met with Tobagonians

so affected. All the Senators from Tobago sitting in this Chamber attended and we had a full discussion. I can tell you, Sir, from that meeting some action has been taken to expedite the matters that would lead to payment to these people concerned.

I checked with the division in Tobago just yesterday and I was informed that from the data collected on that day, files were copied in Trinidad and regularized. Twenty such files were received in Tobago, and they expect some more today. Staff was increased and we have an officer in charge of acquisition now being posted in Tobago. We have a Supervisor of State Lands in the Tobago House of Assembly regularizing this, and a request for the officer in charge, one Mr. Bissessar, has been made. I understand that from today he will be coming to Tobago twice per month. He will be working with the Supervisor of State Lands in Tobago to expedite matters.

The Tobago Senators were invited by the section in Tobago, to come along and work with them, because we were familiar with the people and their complaints and the areas where these lands were used and not formally acquired and hence, would not be paid for. So today, Mr. President, I very highly commend our colleague, Sen. Cuffy Dowlat, for taking that action and making the people feel that somebody somewhere cares about what is happening. [*Desk thumping*] When I heard about the lands being used since 1960, coming for approval today, as I said before, I felt consoled. I would actually say to the people of Tobago, "Keep heart".

Mr. President, I support this action. What else can we do, but support it. There are people who are being affected adversely, and we see some sort of action being taken to better the situation and we are, indeed, very happy. I ask the hon. Senator that we continue to work with those people so affected, and set up a listing so that people affected, long ago, will be put in order and we would not have people jumping the queue. We suspect at times that some people, depending on who they are and the clout they have, jump the queue. Let us try to go in an orderly fashion and have the people from 1960, and even some people in Tobago from the 1950s so affected and whose papers and so forth are in order, attended to.

I ask that the hon. Senator continue in her drive to assist those people who need information because the team did a lot of public education when they came. They gave really solid information. In fact, I learned a lot from them when they came because there were things in the process of the acquisition that we were not familiar with, and a number of people have begun to come on stream. I hope that

the next time we have a request for approval for acquisition, we would see a number of pieces of land in Tobago on the list.

I would like, again, to let the Senator know that we are all in support. We recognize and appreciate the action that she has been taking, and giving Tobago people a lot to be hopeful about. So, Mr. President, I support the request and do hope we can continue to work together to make these people satisfied and end it.

Mr. President: In reviewing the Appendix, I have just discovered that the hon. Senator dealt with one Schedule only, which is a public car park, but the Motion deals with six Schedules. Rather than deal with the Schedules individually, I think it would be preferable, according to the Motion, to deal with all six Schedules and take a vote on it. So with your permission, hon. Senators, I ask the Senator to resume and to deal with the rest of the Schedules.

Sen. C. Cuffy Dowlat: Thank you, Mr. President. I beg to move, that this honourable Senate approve the decision of the President to formally acquire a parcel of land comprising 18.1 square metres, more or less, situate off Ramdhanee Village Street, Claxton Bay in the ward of Pointe-a-Pierre in the county of Victoria and said to belong to Mr. Mahadeo Sarjoo. The said acquisition is on the request of the Minister of Education and is for the construction of an access road leading to the Claxton Bay Junior Secondary School.

Proceedings for the acquisition of the parcel of land were initiated on September 28, 1995, when a notice of intended acquisition was published under section 3 of the Land Acquisition Act, and authority to commence work was issued under section 4 of the said Act on November 7, 1995.

This Government is cognizant of the fact that the future of the nation is in the hands of the present generation. We are, therefore, committed to taking the necessary steps to nurture and develop solid citizens who will guide the country into the next millennium and beyond. It is with this in mind that we are ensuring that educational institutions are being sited throughout the country, so that the younger generation can avail themselves of an education, without the added burden of the high cost of transportation. The citizens of Claxton Bay and environs have benefited greatly from the construction of the Claxton Bay Junior Secondary School. More detailed information on the parcel of land comprising 18.1 square metres, and said to belong to Mr. Mahadeo Sarjoo can be obtained on Survey Plan filed in Book 1140, Folio 42, in the vault of the Lands and Surveys Department, Red House, Port of Spain.

Again, Mr. President, the procedure for the acquisition of land for public purposes is standard, and we have brought these matters before this honourable Senate from time to time. On this occasion, we are indeed honoured to carry this process forward, and I beg to move the compulsory acquisition of land at Ramdhanee Trace, Claxton Bay for an Access Road.

12.15 p.m.

I beg to move that this august Senate approve the decision of the President to acquire the lands described in the Appendix for the public purpose specified, namely, the compulsory acquisition of land for the development of the San Fernando Hill. The proposed acquisition is at the request of the Minister of Agriculture, Land and Marine Resources and it is for the purpose of the development of the San Fernando Hill.

Proceedings for the acquisition of the said parcel of land were initiated on August 18, 1977, when a notice of intended acquisition under section 3 of the Land Acquisition Act No. 28 of 1994, was published in the *Trinidad and Tobago Gazette*. An authority to commence work under Section 4 was issued on August 22, 1977.

The parcel of land, said to belong to Mr. Hasmatali, is situate approximately 100 metres off Circular Road in the City of San Fernando. It is located on the western side and at the end of a private road which ends at the foot of the San Fernando Hill. This parcel of land forms part of the entire area of 2.3876 hectares, earmarked and already utilized for the development of the San Fernando Hill. The subject parcel of land was never formally acquired by the state. It is, therefore, now incumbent on the state to finally acquire the parcel of land and compensate the owner. The site comprises 0.0731 of a hectare with a frontage of 29.14 metres. It is almost rectangular in shape and generally flat. It forms part of what was the San Fernando Quarry, and is covered with aggregate of all sizes.

Electricity, water and telephone services are available on the Circular Road 100 metres away, and access is by means of a private gravel road approximately six metres wide. Again, the procedure for acquisition of land for public purposes is standard, and we have brought these arrangements before this honourable Senate on previous occasions. We are again honoured to expedite this process, and I beg to move for the compulsory acquisition of land for the development of the San Fernando Hill.

Land Acquisition
[SEN. CUFFY DOWLAT]

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I beg to move that this honourable Senate approve the decision of the President to acquire a parcel of land for the construction of the Police Post at St. Barb's Road, Laventille, comprising 738.9 square metres more or less situate at St. Barb's Road, Laventille, in the ward of St. Ann's, in the county of St. George and said to belong now or formerly to Sooknanan and Rosie Sooknanan. Mr. President, the subject acquisition is at the request of the Minister of National Security. It was made to the Lands and Surveys Division on May 02, 1995 and it is for the purpose of establishment of a police post at St. Barb's Road, Laventille.

In consideration of the safety of citizens of Trinidad and Tobago, the Government took steps to establish 16 police posts in areas identified as high-risk, high-crime areas. So urgent was the need for a police post in St. Barb's, Laventille—which was identified as a high-crime area in the study undertaken by the Minister of National Security—that the normal procedures required under the Land Acquisition Act were overlooked. The land was entered upon and the police post constructed, commissioned, and handed over on March 17, 1997. The citizens of Laventille and its environs have benefited tremendously from the presence of the police in their area.

A parcel of land more particularly shown coloured raw sienna on a survey plan is filed in Book 1140, as folio 213, in the vault of the Lands and Surveys Department, Red House, Port of Spain. Again, the procedure for the acquisition of lands for public purposes are standard, and we have brought these arrangements before this honourable Senate from time to time. On this occasion, the Ministry of Housing and Settlements is again honoured to carry the process forward for the construction of a police post at St. Barb's Road, Laventille, and I beg to move.

Mr. President, I beg to move that this honourable Senate approve the decision of the President to acquire a parcel of land comprising 7,000 square metres for the construction of a police post at the junction of the Priority Bus Route and the Eastern Main Road, Arouca, in the ward of Tacarigua, in the county of St. George and said to belong now or formerly to Home Construction Limited.

In consideration of the safety of citizens of Trinidad and Tobago, the Minister of National Security requested that a parcel of land be acquired for the purpose of constructing the Arouca Police Station. Proceedings for the acquisition of a parcel of land were initiated on December 05, 1995, when a notice of intended acquisition, under section 3 of the Land Acquisition Act, was published in the *Trinidad and Tobago Gazette*. An authority to commence work under section 4 of the said Act was issued on January 17, 1999. In July of 1999, the construction of

the Police Station was commenced. At present, it is 85 per cent completed and is due for final completion by October, 1999.

The parcel of land is more particularly shown coloured raw sienna on a survey plan filed in Book 1140, as folio 201, in the vault of the Lands and Surveys Department, Red House, Port of Spain. Again, the procedure for the acquisition of lands for public purposes is standard. We have brought these arrangements before this honourable Senate from time to time. On this occasion, the Ministry of Housing and Settlements is again honoured to carry the process forward for the construction of a police post at the junction of the Priority Bus Route and the Eastern Main Road, Arouca, and I beg to move.

I beg to move that this honourable Senate approve the decision of the President to acquire a parcel of land comprising 1.8294 hectares, more or less, situate at the south western junction of the National Mining Trace on Mon Desir Road, in the ward of La Brea, in the county of Siparia and said to belong now or formerly to Eugenia Pierre, Cyril Parson and others.

The Minister of Local Government has requested that a parcel of land be acquired for the purpose of establishing a recreation ground. Proceedings for the acquisition of a parcel of land were initiated on July 06, 1991, when a notice of intended acquisition, under section 3 of the Land Acquisition Act was published in the *Trinidad and Tobago Gazette*. An authority to commence work under section 4 of the said Act, was issued on July 13, 1991.

This Government, in keeping with our policy to develop the nation's youth, is providing lands in communities throughout the country to facilitate sporting activities. Since November of 1992, work was intermittently undertaken to address the problems associated with flooding when rain falls in this area. Infrastructure and other works have been carried out to facilitate adequate drainage and completion of preparation of the ground. This exercise is expected to be completed early in the year 2000. Information of the parcel of land can be found in a survey plan filed in Book 1140, as folio 206, in the vault of the Lands and Surveys Department, Red House, Port of Spain.

Again, the procedure for the acquisition of land for public purposes is standard, and we have brought these arrangements before this honourable Senate from time to time. And again, on this occasion, the Ministry of Housing and Settlements is, indeed, honoured to carry the process forward, and I beg to move.

Question proposed.

Sen. Nafeesa Mohammed: Mr. President, when the hon. Senator dealt with the first parcel of land in Appendix IV, reference was made to the occupation of

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[SEN. MOHAMMED]

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the lands, I think, since 1960. I agreed with Sen. Dr. Mc Kenzie commending the hon. Senator for her efforts in expediting the process, and I think we, as parliamentarians, do not recognize the fact that over the years, there have been a number of problems and difficulties associated with this land acquisition process. We, too, when we were in government, sought to grapple with the problem. You would recall that a new Land Acquisition Act had been passed sometime ago, and when you look at the process that was started here, it was since in 1994 when the survey and so forth had been carried out. So if anything is being done now to expedite the process we certainly welcome the initiatives and hope that these matters would be dealt with in a more expeditious way

With respect to parcel No. 2, I was a bit concerned when the hon. Senator made mention of the fact that this acquisition was in response to a request by the Minister of Education for an access road with respect to access to the school involved, and we certainly have no difficulties with that kind of purpose. However, when my friend on the other side went on to talk about the importance of the present generation in terms of the education institutions, I had some concerns with that statement because reading today's newspapers, where a very senior government official was denying a statement made that the request to have one textbook in a school was a World Bank request that, certainly, is a matter that speaks volumes for what has been happening in our education system. The political expediency with which that particular move or initiative was announced just on the eve of the Local Government elections. So I am a bit concerned about half statements concerning the educational institutions in the country because we know that this Government's track record in dealing with our schools, leaves much to be desired, especially on this textbook fiasco. It is a pity Sen. Prof. K. Ramchand is not here, but we would deal with that on another occasion.

With respect to parcel No. 3, I am a bit curious. I heard my friend saying, that the purpose of this acquisition of lands in San Fernando is for the development of the San Fernando Hill. I would have liked to hear a bit more about these development plans for the simple reason that about two or three years ago, I distinctly remember the present Minister of Housing and Settlements, Hon. J. Humphrey, making a statement that the land space near the Point Lisas Industrial Estate was overcrowded and that this Government was contemplating developing the sea-bed and converting it into additional land space, so that more industries could be housed in the Gulf area near the Point Lisas Industrial Estate. I was a bit amused by this pronouncement by the hon. Minister of Housing and Settlements, only to realize that sometime last year—I am sure many of my colleagues would recall—we were invited to tour the Point Lisas Estate on a particular occasion.

Whilst driving through the area we were actually shown development work that is taking place in a certain area near the Gulf where there is a lot of landfill work being done. I assume it is a long-term process, but there was even a comment made that part of the plans may include taking the soil from the San Fernando Hill and pulling it down in order to expand that land space in the Point Lisas Industrial Estate. I wish the hon. Senator would give us a little more detail about these development plans because I have to express concerns, having heard these kinds of statements and comments. If it is that they have plans to fill up the Gulf by using the soil from the San Fernando Hill, please tell us if that is part of the development work that is intended. I certainly did not hear any comments from the Senator on that and I know she is very much involved in that particular Ministry and she would know about these dreams of her hon. Minister.

12.25 p.m.

Mr. President, with respect to the acquisition of the fourth parcel of land in St. Barb's Road, Laventille, for a police post which has existed there for some time, we certainly have no difficulties with this kind of acquisition, especially given the fact that the hon. Senator pointed out facts about high-risk areas and where there is high crime the need exists for police posts and police stations. On this note I would like to make a very special plea to the hon. Minister of National Security who I know, in the past, has responded very effectively in relation to these particular areas.

Some time ago I remember meeting a group of residents from the Malick area and they, too, have been expressing concerns about their area—which is right at the bottom of an area called Vegas—being a very high-risk area. They have been taking certain actions with a view to getting a police post established in the area. I am sure the hon. Minister will do all within his power to ensure that a facility is constructed as soon as possible. I know the hon. Minister of Works and Transport is very familiar with the area and more so with the St. Barb's area because I suppose since the police post is there he has been going for his frequent haircuts under a particular tree.

Mr. President, in respect of the parcel at the junction of the Priority Bus Route and the Eastern Main Road in Arouca, described in paragraph 5, I heard the hon. Senator say at first that it was being acquired for the construction of a police post but I gather it is, in fact, a police station because I know there is a big difference between the two. With respect to the last parcel of land in Mon Desir Road in La Brea we have absolutely no difficulty with respect to the acquisition for that recreation ground. Mr. President, with these few words, I thank you.

Sen. Prof. John Spence: I would like to ask a couple of questions, Mr. President. I notice that there is development of the San Fernando Hill but I also noticed that Sen. Cuffy Dowlat, in presenting the Motion, said the Ministry of Agriculture was acquiring it. I am a bit puzzled. I wonder if she could explain whether the whole of San Fernando Hill is part of the holdings of the Ministry of Agriculture or whether it is some other's holdings. I would have thought it was perhaps with the city council. Also on that score, I read in the newspapers that there is some proposal to build a hotel on the San Fernando Hill. We hope the acquisition of this land is not pursuant to that objective because we certainly then would object. I do not think it should be used for that purpose. If it is intended to be used for a national park, fine. I think that is a very good purpose.

With respect to the police station in Tacarigua, I am very glad to see that is being proceeded with because I live in that area, but I really think that Home Construction could donate the land. They have developed so much of that area and built so many houses that would be protected by this police station, I really think we ought to approach them for donating the land rather than us having to pay for it. I thank you, Mr. President.

Sen. Joan Yuille-Williams: Mr. President, I would like to make a brief comment. In fact, I think what Sen. Prof. Spence just asked borders closely on what I wanted to find out. I, too, am very much concerned with—and I would appreciate it if the hon. Senator can tell us at this time—who is really responsible for the development work that is being done on the San Fernando Hill. I live in San Fernando and for years we have seen how much that Hill has been eroded until work was halted and some development work started. In fact, it is a place where people now spend many leisure hours and I know there is a lot being done at the base of the hill, but I have also heard about the Ministry of Agriculture and I, too, would like to know who makes the decisions regarding what is being done on the hill.

I also ask, to what extent is the San Fernando City Corporation involved in the discussions, if at all? I think the corporation would speak for the people of San Fernando and I still feel that decisions on something as important as the San Fernando Hill should have some input from the people who reside in the area and from those around. I am very saddened by what I heard—and I think that Sen. Prof. Spence also spoke on this, and I think it was the Minister of Planning who had made that announcement when we attended the formal opening of Harris Promenade—that there was an intention to build a hotel on San Fernando Hill. That took everybody in San Fernando by surprise. Subject to correction, I think it

came from the Minister of Planning and again we are looking at the policy and the co-ordination with the Government.

Who told them that a hotel was needed or that San Fernandians wanted a hotel there? We are so glad to have a little open space with some trees at the top of that hill where one could take one's family to rest. Who said we wanted any more erosion, or anything like that, which would be caused by putting a hotel on top of that hill? I do not know if it was a loose statement or if it was, as we say, a policy on the hoof, or whatever caused it, but a number of us in San Fernando were taken aback. In fact, at the time when I asked the council if they knew anything about it they were also surprised to hear that there was now going to be a hotel constructed on the hill.

I would like the hon. Senator to tell us what she knows about it, especially since it came from another Ministry that was not under her purview. So we are looking at the co-ordination and the kind of decisions taken and I think this all goes back to Sen. Dr. St. Cyr's private motion about policy and how we arrive at what we would like to do for the various institutions in the country. However, I am very much concerned with what happens with the San Fernando Hill and I am also concerned—[*Interruption*]. It was the Minister of Planning, sorry, who said so. I think it was Minister Sudama who made that comment, subject to correction.

I am also very much concerned with what happens there because on the way to the San Fernando Hill there is now a children's playground which was established some years ago and, sad to say, when I looked at it the other day it is not being well kept. I saw a sign on a tank there with the name of the benefactor—some private person who was able to sponsor it. The area is almost in ruins. We were wondering who is now upkeeping what we have up there. There is a tower up there or some house from which one can look over at San Fernando, which I know was instituted during the time of the last administration.

There are many restrictions now because there is a fee requirement in order to get up there to look over San Fernando Hill. That kind of freedom—as children we used to climb that hill with the hundred or so steps and come over and enjoy the hill. Therefore, whereas I am saying yes to the acquisition and to payment, I also would like to know something about the policy. It is very important we know who is responsible for the San Fernando Hill, who makes the policy, to what extent the corporation and the people of the area are involved in what is going on.

Mr. President, these are very important issues because a little later we are going to discuss the Tourism Bill and if we put things into perspective we will

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also understand how right now in San Fernando the San Fernando Hill is the one little place to which we could take our friends and, therefore, we are concerned with what happens. Clearly, if you put a hotel on that hill that is the end of it for the public, for the children, for all our families and that could lead to any number of things happening, because when you take away that sort of recreational life from anyone we know what else could happen. Where do we find other alternatives? So yes, we are supporting the acquisition that, as I said, is long overdue, but we want to preserve the scenery and we would like you to pay some more attention to it.

In fact, I was a bit shocked when I heard my colleagues say that they again want to take gravel from San Fernando Hill to fill somewhere in Central. That would take us back several years to when quarrying was being done on that hill and one would look at it daily and wonder when they would stop quarrying. We lost almost the whole hill and I sat here this morning hearing it for the first time. I was not on that tour of Central Trinidad, but to sit here today and hear that you again want to take the gravel from that San Fernando Hill to fill some place in Central Trinidad, I hope that is not true. I really want to believe it is not true.

If that is so, it would mean that now the Plipdeco organization is also getting into it, so we have a third party coming in to take gravel from the San Fernando Hill to fill somewhere in Central, therefore it really frightens those of us who love San Fernando and love the San Fernando Hill.

I do not know if the hon. Senator could reply today, but I think she needs to look at it very closely. We need to monitor very closely what the Government is doing with regard to activities on the San Fernando Hill. Thank you very much.

The Parliamentary Secretary in the Ministry of Housing and Settlements (Sen. Carol Cuffy Dowlat): Mr. President, I would like to thank hon. Senators for their contributions and specifically on behalf of the Minister of Housing and Settlements I would like to thank Sen. Dr. Eastlyn Mc Kenzie and all the Tobago Senators and Tobagonians for their co-operation and the warm welcome received in Tobago by the team from the Ministry of Housing and Settlements. We look forward to our continued co-operation and teamwork, the Ministry and the Government of Trinidad and Tobago.

Mr. President, my colleague and friend, Sen. Mohammed, indicated some of her concerns. I would like to let her know that this Government has demonstrated and will continue to demonstrate our commitment to the youths and citizens of this country, and we will continue to do that in an organized and responsible

manner. So that I am certain she will appreciate that what is being done for education is being done for the benefit of all the citizens of Trinidad and Tobago.

I would also like to thank her for appreciating the vision of the Minister of Housing and Settlements with regard to the development of Trinidad and Tobago and to inform her that a land use plan for the Couva/Point Lisas area is being prepared with the necessary consultation and, as is required by law, it will be laid in Parliament as part of the general plan for the development of Trinidad and Tobago. As soon as that plan has been prepared it would be laid and the necessary debate would take place. Meanwhile, consultations are in fact taking place and citizens are free to indicate their interest in the development of Couva/Point Lisas and the other areas in Trinidad and Tobago where land use plans are being prepared.

12.40 p.m.

I know the Senator's concerns would not have fallen on deaf ears and the Minister of National Security would have been listening, and as she would have realized and as Senators would appreciate, the issue of crime and the security of this nation is of paramount importance to the Government of Trinidad and Tobago. So I am certain that the Minister of National Security would have heard Sen. Mohammed's concerns.

Mr. President, I would indicate to Sen. Prof. Spence and Sen. Williams that I understand the San Fernando Hill falls under the protection of the Forestry Division of the Ministry of Agriculture, Land and Marine Resources. However, I would undertake on the next occasion, when a matter of acquisition is brought before this Senate, to have the specific concerns raised, addressed, because I am not in a position to give any detailed information as to the issues raised by the Senators. The next occasion on which I speak on matters of acquisition, I would address the specific issues raised.

Sen. Prof. Spence: *[Inaudible]*

Sen. C. Cuffy Dowlat: Mr. President, the frequency with which we are attending to acquisitions, I am hoping it would be even sooner than Sen. Prof. Spence intends. However, I would undertake at the earliest opportunity to provide this honourable Senate with the necessary information.

Mr. President, with these few words, I beg to move.

Question put and agreed to.

Resolved:

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

Description of Lands	Public Purposes for which to be acquired
<p>1. The parcel of land containing 528.5 square metres more or less, situate at Granville Beach, Cedros, in the ward of Cedros in the county of St. Patrick described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 28th August, 1994 and filed in his office is required for a public purpose: A public car park.</p> <p style="text-align: center;"><u>SCHEDULE</u></p> <p>The parcel of land comprising 528.5 square metres more or less situate at Granville Beach, Cedros, in the ward of Cedros in the county of St. Patrick and said to belong now or formerly to Francis Chimming.</p> <p>This parcel is more particularly shown coloured raw sienna on a Survey Plan filed in Book 1140, Folio 184, in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p>	A public car park
<p>2. The parcel of land containing 18.1 square metres more or less, situate off Ramdhanee Village Street, Claxton Bay in the ward of Pointe-a-Pierre in the county of Victoria and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 6th June, 1998 and filed in his office is required for a public purpose: An access road.</p> <p style="text-align: center;"><u>SCHEDULE</u></p> <p>The parcel of land approximately 18.1 square metres more or less situate off Ramdhanee Village Street, Claxton Bay in the ward of Pointe-a-Pierre in the county of Victoria and said to belong now or formerly to Mahadeo Sarjoo</p>	An access road

Description of Lands	Public Purposes for which to be acquired
<p>This parcel is more particularly shown coloured raw sienna on a Survey Plan filed in Book 1140, Folio 42, in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p> <p>3. The parcel of land containing 0.0731 of a hectare more or less, situate off Circular Road, San Fernando, in the City of San Fernando in the county of Victoria and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 1st April, 1998 and filed in his office, is required for a public purpose: Development of the San Fernando Hill.</p> <p style="text-align: center;"><u>SCHEDULE</u></p> <p>The parcel of land comprising 0.0731 of a hectare more or less, situate off Circular Road, San Fernando, in the City of San Fernando, in the county of Victoria and said to belong now or formerly to Hasmatali.</p> <p>This parcel is more particularly shown coloured raw sienna on a Survey Plan filed in Book 1140, Folio 87, in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p> <p>4. The parcel of land containing 738.9 square meters more or less, situated at St. Barb's Road, Laventille in the ward of St. Ann's in the county of St. George and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 18th August, 1997 and filed in his office is required for a public purpose: A police post.</p> <p style="text-align: center;"><u>SCHEDULE</u></p> <p>A parcel of land comprising 738.9 square metres more or less situate at St. Barn's Road, Laventille in the ward of St. Ann's in the county of St. George and said to belong now or formerly to Sooknanan and Rosie Sooknanan.</p>	<p>Development of the San Fernando Hill</p> <p>A police post</p>

Description of Land	Public Purposes for which to be acquired
<p>This parcel is more particularly shown coloured raw sienna on a survey plan filed in Book 1140 as Folio 213 in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p> <p>5. The parcel of land containing 7,000 square metres more or less, situate at the junction of the Priority Bus route and the Eastern Main Road, Arouca in the ward of Tacarigua in the county of St. George described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 28th January, 1996 and filed in his office, is required for a public purpose: Construction of the Arouca Police Station.</p> <p style="text-align: center;"><u>SCHEDULE</u></p> <p>A parcel of land comprising 7,000 square metres more or less, situate at the junction of the Priority Bus Route and the Eastern Main Road, Arouca in the ward of Tacarigua in the county of St. George and said to belong now or formerly to Home Construction Limited.</p> <p>The parcel is more particularly shown coloured raw sienna on a Survey Plan filed in Book 1140 as Folio 201 in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p>	<p>A police station</p>
<p>6. The parcel of land containng 1,8294 hectares more or less, situate at south western junction of National Mining Trace and Mon Desir Road in the ward of La Brea in the county of Siparia described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 23rd October, 1996 executed under Survey Order No. 61/94 and filed in the Lands and Surveys Division is required for a public purpose: Mon Desir Silver Stream Recreation Ground.</p>	<p>A recreational ground</p>

Description of Land	Public purposes for which to be acquired
<p style="text-align: center;"><u>SCHEDULE</u></p> <p>The land is more particularly shown coloured raw sienna on a Survey Plan filed in Book 1140, Folio 206 in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p>	

Mr. President: We would suspend for lunch at this stage and resume at 1.45 p.m.

12.45 p.m.: *Sitting suspended.*

1.47 p.m.: *Sitting resumed.*

ORISA MARRIAGE 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 make provision for the solemnisation and registration of Orisa Marriages be read a second time.

Mr. President, I feel very privileged to introduce the Orisa Marriage Bill, 1999 for its second reading here in the Senate today. As you may know, this Bill was unanimously passed in the House of Representatives recently, when it was piloted by the hon. Prime Minister himself.

The Orisa religion predates Christianity by many thousands of years, I am advised, and this religion is currently being practised in one form or another by millions of people throughout Africa, North America, South and Central America and right here in the Caribbean. The Orisa religion is described as a religious system with a belief in a supreme being combined with the acknowledgement of some 400 deities with distinct personalities and capable of intervention in different aspects of life.

This religion, I am advised, originated in the rich Yoruba culture of West Africa and was brought here by our African ancestors who were the first people brought to these shores by the Europeans. It has taken today, in the last year of the

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20th Century, to ensure that there is legislation granting members of this faith, legal recognition of their marriages.

There are other pieces of legislation on our statute books which, as the hon. Prime Minister announced in the House recently, we would be seeking to have removed from the statute books, because these laws, in the same way that there was no marriage law for the Orisa, which was discriminatory to the Orisa people, there are other expressed provisions in our laws which are deliberately designed to prevent members of the Orisa faith from practising their religion.

Over the years, members of the Orisa faith have been making representation to have removed from the law books, these pieces of legislation which discriminate against them. We have in our law books today, sections 55, 64(2) and 65(c) of the Summary Offences Act, Chap. 11:02 and these provisions make it an offence to, amongst other things, carry lighted torches, beat drums or blow horns and other noisy instruments in public places. These practices form an important and, indeed, an integral part of the religious observances, ceremonies and customs of religious groups in our society.

These laws discriminate or impede the practice of these various religions, including the Orisa religion. I am very happy to repeat the Prime Minister's statement made in the House of Representatives that we have been actively working to remove some of these very offensive laws that have been retained since the days of colonialism and which interfere with the exercise of religious freedoms of our citizens.

It is in this regard, therefore, that Government proposes to introduce a bill known as the Miscellaneous Laws Bill, 1999 which would seek to amend the Summary Courts Act and the Summary Offences Act, as well as the Offences Against the Person Act in order to redress the discrimination that was being suffered by so many of our religious groups, including the Orisa. That bill we hope to put very shortly before this honourable Senate.

When this Bill was debated in the other place on July 30, 1999, the hon. Prime Minister pointed out that this was the first such legislation in any jurisdiction anywhere in the world. With your leave, if I may, Mr. President, I quote some of the words of the hon. Prime Minister when he piloted this Bill in the House of Representatives. I quote from *Hansard*:

“This Bill is one more step in my long and arduous journey towards the goal of giving life and living meaning to the words of our national anthem “Here every creed and race find an equal place”. [*Desk thumping*] When those

words were put into the anthem, they were not intended as a statement of fact but rather as an aspiration. And those words need to be given life and to be given living meaning and this Bill that we present before Parliament, is an attempt to do so.

It is amazing that those who claimed to be the champions of the Pan African Movement in Trinidad and Tobago should have allowed the century to end without correcting one of the most blatant, heinous and degrading colonial injuries against African slaves and their descendants. That is, a denial of the right to lawful marriage and to legitimate birth.”

The Prime Minister continued:

“Mr. Speaker, I know how they feel because I, too, have been a victim of the denial of the right to be classified as legitimate. If you look at my birth certificate, Sir, you will see in the column labelled ‘sex’, there is the word ‘boy’. And in the column that is intended for name, there is the word ‘illegitimate’. My mother’s name is there because I imagine they could not avoid that. Under the column ‘father’s’ name, there is a blank—if his name is there at all—it may have been in the column as informant. So from the time I was born, my name was illegitimate and my father’s name was ‘Blank’.”

The hon. Prime Minister continued:

“I, like hundreds of thousands before and after me, the prodigy of Hindu parents, who are married according to Hindu rites, as they call them—and I am sure you would know—being a country boy like myself. They were married ‘under bamboo’. That is how they termed Hindu marriages. But those people who married ‘under bamboo’ their children were bastardized at birth, because such marriages were not recognized in a Eurocentric Christian society.

The Hindus were not alone. The children of Muslim marriages were also condemned as bastards, illegitimate and like their Hindu bastard brothers and sisters, were not entitled to the property of their fathers upon an intestacy. In such cases, the property ceded to the state and the children were left to be swaddled in...

But the Muslims and all other non-Christian religious groups, including the Orisas, were also the victims of state sanctioned robbery. ...this atrocious wrong against these victims of colonialism was righted to some extent, by the passage of the Hindu Marriage Act of 1945 and the Muslim Divorce Act of

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1961. Thereafter, marriages solemnized in accordance with Hindu and Muslim customs and religious practices were registrable, henceforth legal and their prodigy were deemed now to be legitimate.

A simple device used was to license, as marriage officers, religious leaders in the respective religious groups and to provide for registration of the marriages performed by them.”

The hon. Prime Minister concluded:

“In man’s life, Mr. Speaker, the most significant events are birth, marriage, harvest and death. That is why there are elaborate ceremonies around these events.”

Today I am advised, hon. Senators, that Sen. Dr. Mc Kenzie tells us that she attended, very recently, an Orisa marriage so that she would have seen the ceremony attendant upon that and I am sure that maybe, she would share that with us today. The Prime Minister went on to say:

“If we look at any culture, any people, we will see that these things are birth, marriage, harvest and death. So, Mr. Speaker, if we illegitimize his ceremonies and customs which are associated with his birth, his marriage, his harvest and his death, we succeed in dehumanizing him completely. We reduce him to the level of beast, and that is what has been done and is being done to the adherents of the Orisa faith which the slaves brought with them from Africa. It is possibly the oldest religion since Christianity that is associated with slavery and indentureship in this country.

Mr. Speaker, that was also what was done to the Spiritual Shouter Baptists and to all non-Christian groups in the society. If we are to be true to the operation of our Constitution and true to our vision for an inclusive society, we must right these wrongs. *[Desk thumping]* That is what we tried to do when we declared March 30 a public holiday in honour of the Spiritual Shouter Baptists. That is what we tried to do when we allocated 30 acres of land at Maloney for the establishment of a park of African spirituality where Baptists and Orisas can build their churches, temples and houses of worship. That is what we are struggling to do now as we try to erect a monument to mark emancipation, and that is what we are doing now as we bring this Bill to Parliament.”

Mr. President, members of the Orisa faith have been seeking legal representation for a number of years. In 1981, Parliament enacted the Orisa

Movement of Trinidad and Tobago (Inc'n.) Act of 1981. That gave status, in law, to one of the largest organizations adhering to the Orisa faith. This group attempted to present a draft Orisa Marriage Bill in 1986. That draft was referred to the Chief Parliamentary Counsel but no further work was done on it.

In 1991, Act No. 27 of 1991 incorporated another organization, the Opa Orisha Shango and this organization also attempted to introduce a draft marriage bill, however, this bill was at variance with the earlier draft bill. The result was that over the years no substantive action was taken to deal with the issue of Orisa marriages.

When we came into office, we had met several pieces of legislation, proclaimed, unproclaimed and so forth, which we felt needed to be addressed. In the Ministry of Legal Affairs, we looked at all the marriage laws existing on the statute books and recognizing that other religions/faiths, the Christian, Hindu and Muslim, have marriage laws governing solemnisation and registration of their marriages and, incidentally, persons who are of no religion at all, also have legislation which would allow them to be legally married, but members of the Orisa faith were deprived of this facility.

In a country where we profess that every creed and every race must find an equal place, where we have a Constitution that recognizes that every citizen of this country has the freedom to choose and to practise his religion, this restriction on Orisa marriages can only be regarded as discrimination of the highest order.

We just started discussions with the members of the Orisa community with a view to formulating marriage legislation in accordance with the beliefs of the needs of the proponents of the Orisa faith. The Ministry of Legal Affairs held comprehensive and wide-ranging consultations with 11 organizations that represent the Orisa faith in this country, and I really give our sincere gratitude and thanks to all the representatives of the Orisa faith who assisted the draftspersons and the staff in the Ministry of Legal Affairs and the Chief Parliamentary Counsel's Department. I place on record our gratitude to the members of the Orisa faith for assisting in the drafting of the legislation which is now before this honourable Senate.

2.00 p.m.

After we took all the comments from the various groups we prepared a draft Bill and in April of this year this was submitted to the Legislative Review Committee to be vetted and finalized.

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During that time, the members of the Orisa faith approached the Hon. Prime Minister, and I want to say, very categorically, that the Prime Minister has been the driving force behind getting this piece of legislation expeditiously debated in the Parliament. From the time the Orisa members approached the Prime Minister, he contacted the Ministry of Legal Affairs, he contacted me and the Chief Parliamentary Counsel's Department to find out where was the draft Bill and what was happening to it. The rest of it after that is history. From April till now, we worked very expeditiously to have the Bill brought to Parliament, in time for a very historic event that is to take place in Trinidad and Tobago; that is the World Congress of Orisa that will be starting on Sunday of this month. It will be hosted here.

We thought it only fitting that if it is that we were going to redress wrongs, if it is that we were going to remove the discrimination that had been there for so long, I think the Hon. Prime Minister was of the view that we should do so as soon as we could. Especially in the light of this historic congress that will be taking place in Trinidad and Tobago, it would be fitting that this legislation be passed in time.

I want to say, again, whilst it is that the Ministry of Legal Affairs was involved in the technical work and in the consultations, it is the Hon. Prime Minister himself who, with his commitment to unity and to the removal of discrimination, has left no obstacles in order to get the Bill to go through both Houses of the Parliament.

When we completed the draft Bill, again, we held discussions with the members of the Orisa faith, and the various organizations, to ensure that the Bill which is before you today would be in keeping with their policy, their wishes and also, of course, in keeping with what Government's policy would be: the legal aspects of it.

The final form of the Bill that is before you today incorporates amendments that were made in the House of Representatives. Those amendments were made partly because of further legal considerations, but certainly after final discussions with members of the Orisa faith to ensure that we had represented what they wanted.

I would like to point out that whilst the provisions here basically mirror the provisions that are contained in other pieces of marriage legislation which exist in our statute books—that is to say, the Hindu Marriage Act, the Muslim Marriage and Divorce Act—the provisions are basically the same. At the moment there is a

task force that has been set up under my chairmanship to review all existing laws and proposed legislation relating to the solemnization and registration of marriages.

There are concerns with respect to certain provisions within these laws, which will include some of the provisions within the Orisa marriage legislation. I will point out what those may be. But I do want to say that we felt that it was unfair for the Orisa to await the findings and the recommendations of the task force before letting them have their piece of legislation, which would recognize their predecessors. We felt it best to bring the legislation so that we can erase discrimination that had been practised against the Orisa faith. But when we did that, we also took the decision—the Orisa people are aware of the decision that we took, because Pearl Eintou Springer is a member of the task force as well. They are well aware that the decision was, yes, we will bring the legislation but it will continue to be, along with the others the subject of review under the jurisdiction of the task force.

One of the areas that the task force is looking at is the question of age. The age at which a person can enter a marriage, at the moment, differs depending on which piece of legislation we are looking at. It is 12 years old for a Muslim girl and 14 years old for a Hindu girl. But there is another piece of legislation, which is the Sexual Offences Act, which states that a girl under the age of 14 cannot consent to intercourse. There is a strange inconsistency in the Marriage Act and the existing law which is one of the areas that the task force is looking at and holding consultations about. Of course, under the Marriage Act and also under this Orisa Marriage Act, the age that we are proposing for a girl is 16 years old.

Another area the task force is looking at, where there are inconsistencies in the various pieces of legislation, is the fact that Hindu and Muslim marriages are required to be registered to be valid. This can cause undue hardship to persons resulting from failure by their marriage officer to so register. This requirement is not necessary under the Marriage Act. Under Hindu and Muslim marriages there is a requirement for a register of Hindu marriages and a register of Muslim marriages but it is not there under the Marriage Act. You are registered with your marriage certificate, that marriage certificate is sent in for the Red House checking and that is done. These are just two of the areas. There are many areas of inconsistencies within the various pieces of legislation.

The point I am trying to make is that we are continuing to review laws. The task force has been meeting. I want to say that the task force committee comprises a number of religious organizations, legal bodies and NGOs. Contrary to the view

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by some that the Registrar General's Department of the Ministry of Legal Affairs has a fixed agenda to create one Act, we have no such agenda at all. What we have been doing is holding consultations in order to get the widest range of views. So far, by public notice, we have advertised that all Hindu, Muslim and Civil Marriage officers, superintendents and registrars of marriages are invited to consultations at various venues: in Tobago, Port of Spain and San Fernando. This was done during June and July. The response was quite encouraging—the number of persons who attended. Many views were put forward and other suggestions and recommendations came up that we had not considered. We will be looking at those again.

The goal of the task force is, really, to reduce the existing variances in the law in a manner consistent with current thoughts on civilized living, whilst at the same time taking cognizance of the local, cultural and religious mores of Trinidad and Tobago. Our attempt is to ensure that all persons seeking to get married in this country, regardless of their religion, are all afforded the same rights and privileges with necessary respect being paid to their individual religions.

I do not intend to go into the clauses of the Bill, but I will do so if it becomes necessary, when I have heard the suggestions and contributions from the other side.

The Explanatory Note is very straightforward. Of course, if there are any questions, I would be willing to deal with those. In the interest of saving time, I do not think it is necessary to go through each clause.

Sen. Mahabir-Wyatt: Mr. President, I do not want to get into a large debate, I am just wondering if, in the examination which the Minister spoke about for all the marriage laws, are you looking at the question of gender inequality when it comes to each? Because it seems to me that in all of these there seems to be a difference in the age which a man can marry, and a woman. I thought we had a policy about gender equity. I was wondering if that was one of the considerations.

Hon. K. Persad-Bissessar: Certainly, on the issue of gender equality it will be a consideration. It goes even further than that, because there is gender inequity in the marriage statutes; in the sense that whilst it is that the father can give the consent, the mother in some cases is not competent. She does not have the legal capacity of competence to give consent. That is a very strange thing, because in cases where there are single parents and there is no known father, you would think the first person who would be sure to know this is my child and I can give consent would certainly be the mother. That gender inequity is there. As the hon. Senator knows, yesterday we were engaged in a consultation on domestic

violence and the view was that we were anti-male and that there was inequity in discrimination against men in the society rather than the other way around.

2.10 p.m.

Mr. President, I, too, agree that in the statutes there is gender inequity, and it is a consideration that the task force will be giving in looking at the statutes. [Interruption]

Sen. Yuille-Williams: Hon. Minister, before you close your presentation, I would like to ask, based on the amendment you have here, about recognized organizations, how many recognized organizations are there in Trinidad and Tobago today?

Hon. K. Persad-Bissessar: At the moment, I would say there are none of them in the sense of legal recognition. There are two incorporated by statute, but in terms of recognition under this marriage law, this is what we would now have to seek to do, to give these organizations legal recognition to allow their marriage officers to be licensed. So there is a provision, as you would see in the amendments, which makes for how we go about recognizing these organizations.

The two I mentioned that were incorporated are legally recognized in a different sense; one was incorporated, I think, in 1981 and one somewhere in the 1990s. So there are two of them incorporated by an Act of Parliament, but in terms of the marriage law they are not recognized in that sense. I hope I have answered what you requested. In fact, what we have to do now is to make regulations, when this Act is in place, if this is approved here by hon. Senators. We will continue consultations with the members of the Orisa faith to put the regulations in place for manner of recognition, criteria for recognition and so forth.

Mr. President, as I was saying, this country will host the Sixth World Conference of the Orisa Tradition and Culture. I am advised that this is the first time the congress is being held in the Caribbean; there were previous congresses in Nigeria, Brazil and the United States of America. The theme of this year's congress is "The Orisa, the ancestors, family and community in the new millennium: Strategies for survival." I am advised that the purpose of the congress is to work toward the elevation of the status of the Orisa tradition, wherever it is practised. Participants will include not only devotees and practitioners of the Orisa religion, but also those with an interest in Orisa and other related African traditions from throughout the African diaspora.

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Mr. President, it is fitting, in my respectful view, on the eve of this important event, that this piece of legislation is before the Parliament and that this Bill, when enacted, will afford to those citizens of our country who are members of the Orisa faith the recognition, respect and legal status of marriages practised in that religion.

As the hon. Prime Minister said in the Lower House on July 2, 1999, the passage and proclamation of the Orisa Marriage Act will right a wrong that should never have been permitted in blatant discrimination against members of the Orisa faith in this plural society. I look forward to the contributions from hon. Senators, and stand prepared to answer their questions as necessary. I beg to move.

Thank you, Mr. President.

Question proposed.

Sen. Joan Yuille-Williams: Thank you, Mr. President. I would like to make a short contribution this afternoon based mainly on my interpretation and understanding; most of the information would have to come from the hon. Minister. Before I do so, on behalf of my colleagues I want to recognize the presence of members of the Orisa movement in the Parliament this afternoon. I know it has been a long journey for them in reaching this far and, therefore, from this side, we wish to say that we have been with the organizations for some time. Others will have their say on this. We have reached to this point where the Bill before us, the Orisa Marriage Bill 1999, will give legal effect to their marriages.

My contribution is quite short because we are really very much in favour of the Bill at the moment, but from the time we got this Bill, I took the opportunity to speak further with members of the Orisa movement. I spoke with members of the two groups, which have been incorporated, and both were comfortable with the provisions in this Bill. As you know there are a large number of members of this faith throughout Trinidad and Tobago, and I had the opportunity to speak with others who were not within the umbrella organizations and who were, to some extent, not very comfortable with certain provisions in the Bill.

I am not here this afternoon to stop the passage of this Bill. In fact, we are going to support it and allow it to go through. I was very happy to hear the hon. Minister say that there was going to be a task force set up. [*Interruption*]

Mrs. Bissessar: It is already set up.

Sen. J. Yuille-Williams: I am hoping that the hon. Minister will give consideration to the point that I am going to make. As I said before, we are going to support the Bill. It would have taken quite some time to get here, because I could imagine the number of consultations over the years. It is not an easy task to put together a Bill like this, from when it was first introduced to now, the number of consultations, views and sections one has to go through. One would also have to understand that even now, there are a number of areas within this Bill, which people would find should not have been there and on which they want to have further consideration.

I would like to make my comments on clause 6 “Application for Licence as Marriage Officers”, based primarily on my discussions. I am not standing here as one who knows everything about the faith, but I am trying to bring to the Parliament information that I have gathered from members of the Orisa movement. That is why I asked the question of the hon. Minister about how many recognized Orisa organizations there were, and whether I was getting confused with recognized Orisa movements and incorporated movements.

I understand that there were two incorporated movements and those were supposed to be umbrella organizations. They were incorporated by the Companies Act, if I am correct, but I also understand that there are several other incorporated groups, individual shrines, as we would say. In fact, I was told that there are about 200 that have also applied under the Companies Act for incorporation. So there are two umbrella organizations which this Bill is recognizing, and I understand that there are a number of other shrines which have been incorporated.

The main point I am making at this time is that some people feel that this Bill, as it is now, would recognize only those two incorporated organizations. *[Interruption]* I suppose that has come to the Minister as well, but I am going to use what I have been told. Therefore, if I am from an individual shrine which was incorporated outside of these two umbrella bodies, and I want to have my officers licensed, I would first have to apply through these organizations and get the certificate which I would then take to the President. That is what some of the members of the Orisa movement are telling me at this time, that just these two organizations would have to certify that these people are fit and proper to be licensed as marriage officers. That is the understanding I have, based on my discussions, and I did move around and talk to heads of a number of organizations. That was the part which some people said gave them the most difficulties.

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In fact, some of them on the outside said that they were not even aware that it was only the two umbrella organizations which were, to some extent, recognized as far as this Bill was concerned, and that if a person was the head of an individual shrine, he or she would have to apply to one of these two organizations to get that certificate which would go with the application to the President. That, in itself, is what was causing some problems, as well as being discriminatory. It might not be so but I think it is my duty, having been told to me, that I needed to raise this here.

In fact, two of the persons—and I consider these people knowledgeable in what was said—had gone so far as to even say that previous to now, they had gone through the rites of marriage and then came to the Red House to have it certified. They said that even under this Bill, that would have been lost, because they would no longer be able to perform that rite, even though they wished to have it certified at the Red House. I think you need to clarify that important aspect of it. I am saying so not only for myself, but for the 200-odd ones out there who now feel, to some extent, that there is some kind of discrimination and they would no longer be able to. In fact, some of them thought that they would apply directly to the President for this licence as marriage officers, but this Bill will prohibit that—it must go to one of these two incorporated places.

I thought I would raise that because it has come from more than one of those persons out there, therefore, if there is a concern I think we need to clear that up very well. That is why I asked the hon. Minister whether her information came from the head of a recognized Orisa organization, because she had said previously that she had spoken to about 11 groups. That is really my concern, because if she had spoken to 11 groups it means that number would probably get certified as recognized Orisa movements. I would want to know what that really means. As far as I am concerned, there were two incorporated and they would have the authority to certify marriage officers. If I am wrong, I would also want the Minister to tell me.

Earlier today I spoke to one of the members and the person said that they fear now that some of the rites which they are allowed to practise they would no longer be able to, when the licence is given to some of these organizations. I did not go along with it, because I think that was stretching it a bit far. But why I am raising it is because there is a concern out there. Mr. President, you would recognize that a large number of people out there with shrines were not really involved in this. The Minister had not been able to touch base with them and, therefore, I feel it is only fair that she give an explanation so that we would all be happy with what is happening.

I am glad that the task force has been established. I feel it has a lot within this Bill to look at. As I told someone, even though this is passed in the Parliament, there is also something called amendments to legislation and, therefore, do not be wary about the fact that it is passed here today and there is no opportunity later on for some amendments.

In fact, what was happening—and I could tell the hon. Minister—is that people did not want this Bill stopped. They wanted it to go through but, at the same time, there were so many concerns they were trying to weigh, whether if we tried to get it deferred what would be the other side of it: and I tried to let people understand how legislation and Parliament works. I was a bit heartened when I heard the hon. Minister talk about the task force, concerning the age of marriage and what not. When I looked through all of this I felt that there are certain things that we need to look at further. I am sure at the end of the day, with the task force recommendations, those will be cleared up, not only within the Orisa Marriage Act, but all the other marriage acts, so that we could have some equality around.

I understand that there are several marriage acts, and there might be differences in age. I heard the hon. Minister talk about this whole business of the gender affair, and I myself looked at it. When I read that you must get the consent of the male first and if not, then the female, I asked myself if there are female heads of households and what not, why is that so? I know that these are things we have brought with us from the past and it would take some time for us to go through all of them, therefore, I welcome the task force. I am hoping that the Minister will have that task force consultation as wide as possible.

Sometimes you think you are reaching the people, but you are not getting there. I am not making a criticism of the Minister or any other particular person, because I myself have had that opportunity. Sometimes you want to hold a consultation and the people whom you would really like to address, when you look at the audience those are not the people there. Therefore, when the consultation was taking place probably there were other people who might have had an input into it, who might not have known about the time it was happening, might not have come forward or may have said, let us leave it to certain other people. In terms of the task force, I hope it would have really wide consultations and try to find the people who are involved or whom it would affect and try to get them invited.

2.25 p.m.

At the end of the day, there are millions of people in this faith all over the world. This is a very growing organization. In Trinidad and Tobago, a number of

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people are identifying openly with the religion and are affected by it and, therefore, we would want to know that whatever is produced here by the Parliament is something that people can live with and not live with under duress. When I say, under duress, I mean yes, we accepted it, but we would have preferred it a certain other way. This is a religion. This is something that touches people very, very closely and, therefore, we need to ensure that when people decide to go through with this Bill, that the task force would take it up when we make a comparative study of marriage acts in Trinidad and Tobago.

I would really like to clear the air, not only for my benefit but for the number of people out there who have shrines. In fact, in trying to do this research, I was surprised to see so many shrines which have been incorporated. The problem is, after this Bill was passed in the Lower House, it seemed as though the people started to recognize that they might not be able to fit into this as they thought. I do not even think that one could have gotten some of those requests in before. It is after people started to look at what has been accepted, that they started to talk about what was in this Bill.

So, in fairness to us all, I ask the Minister to address this so that members of the movement could feel very comfortable. Those of us who follow what is happening with the movement and understand, can advise people as to what is taking place. Of course, a lot depends on what we know about the bit of legislation.

I heard the Minister talk about the congress and I know that it is essential to the congress to have this Bill passed, but at the same time, we want to know that there is something worthwhile.

I take this opportunity to wish the movement all the success in this international congress. It is not very often that this can happen within a country. From my consultations with members of the movement, I think the movement is seeking a certain amount of unity. It is the same thing with most religions at this time. People always look for unity within the movement and whatever we do—I think the task force could also address it as they go along—to bring members of this movement together.

From what I have heard, one of the things that they would wish to see is a more united group of people and clause 6 does not seem to do it.

I also heard the Minister speak about the lands which had been given to them—about which I know people are very anxious. In speaking to one of the incorporated bodies, I was told that in terms of the land, they were not only going

to construct a church, but that they were going to build schools; and they were going to add a trade wing to the whole thing. It is something that this country could do with, and I compliment the bodies for going beyond just the religious aspect as it were and go into other areas. So, we would hope to go through all the legal requirements so that this land which had been promised could be given to them.

One of the things I was told was that this is not a religion that accepts contributions or collections as some of the other religions do in their churches or their shrines and, therefore, funding is a problem. So we need also to look at the kinds of funding that we give to organizations, not only to the Orisas or the Baptists. It might not be directly dependent upon this Orisa Marriage Act, but I take this opportunity, Mr. President, as we talk, to state that I think it is time that we try to increase all the funding to religious orgnaizations because we feel that they have the most useful work to do, especially as we are now moving away from that church/school arrangement, and therefore the religious organizations have a greater task to do. They need to spread the work that they have been doing around to incorporate especially our young people. Therefore, the funding is not only for their celebrations and their festivals, but they have been saying that they need it to also do things, especially for the young people. My request is, therefore, that we look at our budget and see how we have been funding these organizations, and do all we can to increase the funding to give them the kind of support they need. As a Government, sometimes there are little areas that we do not go into or we do not have all that it takes to implement.

I think for these religious bodies we need to consider how well we fund them because in the whole development of our country, especially the development of the young people, they can play a greater part.

With these few remarks, Mr. President, my colleagues on this side wish to support this legislation, with the hope that the Minister would look further into clause 6 and that in the task force, as the Acts are looked at comparatively, if there are any amendments to this basic Act, that it be brought back to Parliament as quickly as possible. We have no desire to hinder its implementation, especially as I know some people are quite willing to have it before the congress.

I know how it is sometimes when you have to do something like that and you want to go into a meeting. I remember when we were doing the Bill dealing with unremunerated work. We were very anxious to get that passed, so that we could have gone to this particular conference with it. Although it has fallen through, I hope that would not happen in terms of the Orisa Marriage Act as they go towards the conference.

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May I just, on behalf of my colleagues, wish the Orisa movement all the best and for a most successful conference in Trinidad and Tobago. I hope that the effects of what is happening would be felt throughout the length and breadth of our country.

Thank you, Mr. President.

2.35 p.m.

Sen. Rev. Daniel Teelucksingh: Mr. President, I rise to support the Orisa Marriage Bill, 1999. I wish to warmly congratulate the hon. Minister and the Government for piloting this historic piece of legislation, which provides for the solemnization and registration of Orisa marriages in Trinidad and Tobago. I repeat, because it is important, at this time the Bill may be seen as a testimony to our joy and great pleasure at receiving into our multireligious community the Sixth World Congress of Orisa Tradition and Culture which will be held in Port of Spain next week. It is the first of such congress to be held in the West Indies.

Mr. President, we endorse the Orisa Marriage Bill because of its religious and cultural importance and what better occasion than in the midst of the 165th emancipation celebrations among a people who sound the freedom drums and dance to the song of liberation? The Orisa Marriage Bill, I see, is more than a gift; it is not a gift. It is a right returned to an oppressed people whose indigenous religious forms have been suppressed and, in some cases, destroyed by centuries of colonial enterprise from the Middle Passage atrocities to the Holocaust of the new-found European estates of the West Atlantic.

Our endorsement of the Orisa Marriage Bill at this time is not to be seen as an act of benevolence but a glad recognition that the religious heritage of indigenous Africa has its own intrinsic value and independent merit to take its rightful place on the holy grounds which house the world's living religions. I see the Bill as an essential corrective mechanism in our appreciation of the purity of African cultural and religious forms and expressions. It is symbolic, I see, of the stance that we must take against religious bigotry and also cultural harassment. As a nation we gladly receive this Bill.

This is another good season for us in Trinidad and Tobago to showcase to the world, Mr. President, the rich and diverse cultural and religious heritage accommodating at this time the Federal Cultural Troupe from Nigeria and the Shah Rukh Khan group from India and I understand a world renowned Indian, Swami-Ji, is here in our country at this time. In the course of these discussions over the last two weeks in Trinidad and Tobago, concerns were expressed for the

removal of certain old colonial symbols. It is all a part of this ongoing debate of the last two weeks, the removal of certain old colonial symbols, though a part of our history, but now grown to be meaningless and sometimes embarrassing. Instead, we are seeing as a people the need to recognize our national heroes and heroines, the real builders of modern Trinidad and Tobago and I will gladly identify with this initiative and Government is on the right track here.

Mr. President, the debate of the last two weeks, which includes this debate of the Orisa Marriage Bill, includes this matter that I am raising again, the question of old colonial symbols and the need to update our history. One of the Caribbean commentators writing in the *Sunday Guardian* of August 1 is reminding us that there seems to be a Caribbean awareness, not a Trinidad awareness but a Caribbean awareness, of the need to look at our history again, especially in the light of Independence. He writes, and this is instructive for us:

“Of the Caribbean Community’s first four independent and bigger countries—Jamaica, Trinidad and Tobago, Guyana and Barbados—Trinidad and Tobago is the only country without any ‘Square’, ‘Park’ or ‘Monument’ commemorating emancipation from slavery and which ‘memorial’ serves as a kind of shrine for activities, official or otherwise, associated with freedom from slavery.”

So we see that in the Caribbean there is this awareness to rewrite our history, especially post-independent West Indies. This writer says that in Jamaica in their celebration of emancipation they have their own shrine, the Sam Sharpe Square in Montego Bay. In Guyana there is such a monument, the Revolutionary Square and in Barbados there is an Emancipation Statue. I am not surprised that this debate has started among us emphasizing the need for us to look again at our history.

So further to such legislation as we have before us, the Orisa Marriage Bill, we have to ask the question, and this is a good time to ask it, what better season to ask it: can there be an emancipation park or the renaming of streets, highways and parks in Trinidad and Tobago? Will the new controversial textbooks, the source of great controversy, tell the young people of our nation who Lady Young was, or who was George V? I think it is a commendable suggestion for the King George V Park to be renamed Emancipation Park. We are going to quarrel about it. The others have done it in the West Indies. They have been brave enough to do it. We need to do it also.

There is another point you know, Mr. President. Over the last two weeks in the course of this debate, which includes the milieu that produced the Orisa

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Marriage Act, the Hindu call for reparation, for compensation; that has been a very important subject. At the same time last week during the emancipation celebrations the call has been raised again by the Afro community for reparation and compensation for all the injustices of the Fifteenth, Sixteenth, Seventeenth Centuries and so forth.

Only last evening I was reading on a very important subject that I hope the world's richest countries, G-7 and G-8, will take up as one of the great challenges of the new millennium, and that is the question of reparation and compensation for nations, especially of the developing world, that have suffered since the days of slavery at the hands of these countries, the G-7 and G-8, among the richest, the wealthiest nations of the world. I was reading a UN publication last evening from the Department of Public Information of August 1998 about a set of countries called by the IMF and the World Bank the "heavily indebted poor countries".

Among the "heavily indebted poor countries" of the world—the IMF and World Bank have identified 41 such qualifying countries—Bolivia and Guyana are included and, Mr. President, out of these 41 countries 33 of them are from Sub Saharan Africa. This region, Mr. President, has an external debt of US \$227 billion. I wish that the Government of Trinidad and Tobago and its representatives in places like the United Nations and in other organizations will join the lobby for debt forgiveness. This is one form of reparation and compensation, debt forgiveness, a very important initiative in the new millennium.

So that developing countries—and look how many of them! We are talking about out of 41 heavily indebted poor countries in the world, 33 are African countries, heavily indebted to Germany, Italy, Japan and the USA and these countries are leading the opposition, as it were, against that form of compensation in terms of debt forgiveness. I hope and pray that this nation will be strong enough to join the other countries of the world, especially those from the heavily indebted poor group, in ensuring that there will be debt forgiveness for all these countries that have suffered at the hands of these nations that today are recognized as the world's most prosperous and wealthiest nations of the world. Mr. President, I join, with many in this land who lend support to the Orisa Marriage Act, 1999. Thank you very much. [*Desk thumping*]

Sen. Dr. Eastlyn Mc Kenzie: Mr. President, like the speakers before me I congratulate the Government and all those organizations assisting the Government in coming to this decision today. When I knew that we would have debated this Bill at some stage I took the opportunity given during the Tobago Heritage Festival to attend an Orisa wedding ceremony at Castara and it was quite

an education. It was not a production for entertainment, it was a production for education. We had coming over from Trinidad—I want to put in the word, “real”—a real Orisa priest.

In other words, you know, Sir, when we stage these Heritage Festival productions at times we have make-believe priests, as we have in the Moriah Wedding. The fellow who conducts the ceremony is not a real priest. However, on this occasion there was a real Orisa priest specially invited to perform an authentic ceremony: and what an education it was! As I sat there and was part of the ceremony I said to myself, if what I saw being practised was done in all marriage ceremonies and the people would have kept to the whole ceremony, we would have very few marriage breakups.

It was so detailed, [*Desk thumping*] it was so community-oriented, it was so supportive of community and friends and relatives, *et cetera*, Mr. President, we actually got a taste of what real life was. We tasted the honey, the salt, the pepper and the oil. We, the people who were supporting and were there to witness, were part of this. We learnt of the premarital counselling which the two people who were going to be married had to go through. The bride had to be attended to for weeks before by the elderly women, *et cetera*, of the village being counselled and shown and there were discussions, *et cetera*, because they had the experience, they had the knowledge, they knew of what to expect in a life of the sort. They counselled on how to parent the children, how to bring them up well, what to expect. They even had the foreknowledge of how to cope with hard times within the situation. Likewise, the groom had the same sort of counselling and training by the men and elders of the Movement.

Mr. President, it was an eye-opener for me and for those of us who attended. But as the hon. Minister said, there was also the consent of the whole village, the community, the relatives and friends by the celebration, the drums and the chanting and the sense of approval being given and the commitment of the entire community, and the joining of hands by—the knot was so well tied I do not know if those two people are separated up to now—a well-tied knot binding two hearts, two people together for all of us to see. When the mother of the bride spoke to me she said, “Dr. Mack, what do you think I should say?”

Strangely enough, the mother of the bride and the mother of the groom were the people who were taking an active part in the ceremony. Those were the people who were actually giving their children in marriage, so important was the role of the women. I said to her, “You should tell your daughter, “If after so many people

from all walks of life in and out of the village should come to witness a ceremony like this, it would be a burning shame if it should go wrong.”

And so, Mr. President, I congratulate the Government. I support the Bill. I would ask the different aspects and sections of the movement to continue in the education of what an Orisa wedding is all about, not just the ceremony but the education, because many of us have learnt from what we saw and what we heard. I am sure the experience would have made many of us richer. I say to them that they indeed have a tradition that is very, very superior to many that we have otherwise and I think that we ought to congratulate them.

Mr. President, I have a few more comments on one or two clauses in the Bill. I refer to clause 5 in the Bill and I see where in granting the cancellation of the licence, you are notifying in the *Gazette* alone. I would like to see an amendment allowing this to be placed also in one of the circulating daily newspapers. So I would like the hon. Minister to look at that not only there but also in new clause 6(4).

I very well like clause 8A because I will tell you what my experience has been, Mr. President. After the showing of the television series, *Roots*, many people, just for the fad of it, wanted to have an Orisa wedding or an African wedding. They wanted to jump the broom, they wanted to do this, they wanted to do that. And so I think that many people at that Castara wedding—I heard them say, “Oh boy, I would really like to have Orisa wedding.” They are not Orisas. They do not belong to it. They just want to use it now as a fad because it was something so solid and so good. So I very well like clause 8A that we do not make a “pappy-show” of a very sacred and noble tradition. And so I commend the Government for including this as one of the prerequisites of a valid Orisa marriage under the Act.

2.50 p.m.

Mr. President, with my brief contribution I would like again to congratulate the Government and wish the movement all success in their conference this month. I wish them well, and I hope they would take the opportunity of the passing of this Bill to educate us, the people of this country and probably beyond, of the traditions of the processes, the meanings—which I heard, and we do not have the time to go into all of them—associated with every ritual that was practised because they all have very solid meanings and are very relevant and appropriate in these times where we face so many breakdowns in the family.

I wish them well and I hope they continue to publish. I have been reading some of the materials they have published in the newspapers and I hope they would be able to have some of their material on television. I hope they would have education on the radio so that all of us will be more aware of what they are contributing to the development and mainstay of families by passing this Bill.

I congratulate them, I wish them well and I thank you.

Sen. Muhammad Shabazz: Mr. President, really and truly we must support this Bill. It is indeed enlightening to see that the Orisa movement would be at a point where in truth and in fact their marriage ceremonies and, as we go on, other ceremonies would indeed be legal.

Mr. President, I grew up in an area where I heard the Orisa drums all the time, I still hear them. I grew up knowing that it was not proper for us to go to the Orisa yard because what they did was induced a certain kind of fear and made us afraid of the religion. We were afraid to go around the Shango and Baptist people because it was always projected as a negative religion. Sen. Dr. Mc Kenzie spoke of seeing an Orisa wedding and I say today, at age 50, having never seen one, I feel that I have missed something. I ask my dear friend, Brother King, who is a member of the organization to invite me to one of these ceremonies where I could see and get that fulfilment and enlightenment of which Sen. Dr. Eastlyn Mc Kenzie spoke.

Why did we have to fight so hard for Orisa and all these things to be made public and to be normal like other things? Somebody is saying, ask the PNM, but it has gone beyond that. I am sorry I had to hear that, but I would tell you about the PNM, the Orisa, and the Baptists as I go along. I am very sorry to hear the Senator say that.

Orisa is really the head, selected, particular movement, a head of a number of Gods, but to think about Trinidad and its history and to think about myself as an African and people in a third-world country, we suffered a lot. I would like to tell you that we were the only people who were brought out of our motherland where a law was passed and all the heads, all the leaders and teachers understand that, that is why they had to hide to practise their religion. The law was that no two slaves who spoke the same language must go to the same plantation. Nobody else went through that in this country. Everybody else was able to practise the religion of their ancestors and their forefathers. We were beaten, killed, and today to hear the word African used so proudly in the Senate makes me feel proud because I know although I was born in Trinidad, although I am a proud

Trinidadian, I am indeed an African. If I fell unconcious in Nigeria and they took me to a hospital and I had no identification, and could not speak, nobody could say I am a Trinidadian. They would search for me in the village. So I feel extremely proud to be an African.

Mr. Singh: They could tell by your hair.

Sen. M. Shabazz: Well, the hairstyle may help. The point is that this law caused our people to be hiding in different places practising a religion that was of the highest order. Hiding from carrying out a teaching that was of the highest order. Today it is now coming out and maybe that is because one of our great prophets in this time, Marcus Garvey, predicted that Africa would be free by the end of this century and we see that the people are rising with a certain pride of which I at this time feel very proud. It reminds me of Valentino saying "Ethiopia will rise again and in the third world, the Africans would reign". A very serious statement.

The point is that we are reaching to a point in time when our children can feel proud to do the things that our forefathers did. No more licks, no more hiding, no more punishment. So when everybody talk about what we did and how far back we were, remember that these people who still belong to that movement today, must be given real credit for having stood up and fought that battle to still keep part of our heritage open and to be able to come to the forefront again today after 100-plus years.

There were terms. Some people believe that this religion was there even before Columbus came because we were seen as free traders, people who were out here doing a number of things. We talked about Bohari a king who kept this whole thing going, he was the brother of one of the great kings, he kept the religion and brought it to this part even from an early time.

We talked about the African priest, and he was called obeah, the Obi, the head, the God, or the good spirit and when they said we were practising "obeah", what we were doing was practising a religion that was of such a high standard that it confused them and they tried to get it out of the way. Today we look at it and we say, we are like Shango the God of thunder and lightening. We look at the steel pan, and know that somehow when we talk about our religion and ourselves some people are really disturbed, some people do not even like us to go that way, but it is an important time that the voice must be heard and the thing must rise up.
[Desk thumping]

I also want it to be known that this is not a political matter, it is more than that. The time has come for the religion and the knowledge to be exposed because we are going into a new millennium, a new century and it is important that those of us who believe in the teachings of the motherland would understand that we are going to a time when these things must be exposed, a new beginning is going to come. It is not a political thing in the sense of what PNM did, what UNC, or what NAR did because this Bill was brought in 1986.

The PNM had lost the election when the Bill was brought before the House. It did not come up again, it is here now and we are really happy to see it before the Senate at this time, but we want it to be known it is not a political thing. Yes, the Prime Minister said a number of things, but at this time there are many festivals and things towards Hinduism, yes they gave Emancipation Day and the Baptist holiday. We appreciate that. They gave land to the Baptists, but Divali, Eid and all these other festivals were given during the time of the People's National Movement. We had not stopped. It was important that the Orisa people knew and understood that they did not have a problem to practise their religion.

Throughout Brazil and North America where there are over 90,000,000 religions and groups practising this religion, today they do not have the freedom that the Orisa is given. We appreciate that. I am making the point because I want them to know that we appreciate the fact that this religion is going to be getting the type of benefits and we really appreciate what you have given to them but we are saying that they indeed deserve it. They have fought for it. The pan is governed under the Orisa religion by a God called Olum, a God of all mechanical things and in this light, a number of creative things which come out of the people who understand the Shango religion will tell you that many of these things come out of that religion and out of a belief of things in that religion.

I feel very proud and happy because I have gotten an opportunity again to talk about my roots and my ancestors. I stand here looking at people whom I could admire for their continued fight to keep this going and to keep the religion open. We do not want to make it political, we know that the great God, at this time has said now is the time. It is ready and it has to be brought forward at this time. We do not deal with the devil but there is a saying: "if God send it and the devil bring it", we have to accept it. In truth and in fact, I congratulate the Minister, and all of you for what you have done, but please see it as the movement of a people, the movement of a nation, Trinidad and Tobago, as we bring together all the forces to ensure that we get something good and positive.

I go a bit further and talk about what Sen. Rev. Teelucksingh said, that nowhere in Trinidad and Tobago is there a park for emancipation or anything like that to celebrate the African heritage and maybe that might be true. When I heard that King George V Park was going to be given to the people, personally I felt that it would not have happened. I knew that the people would not have gotten the park and I want to tell you why I knew that.

If you pick up the *Guardian* of either July 9 or 12, 1956—I want to record this here—it is in the *Guardian* of 1956. Hear what it said in the *Guardian*. In 1955, they were going to build a place of public entertainment at the same St. George V Park—I believe that it was the Queen's Hall. Hear the names that were called in the newspapers—Stella Rosenthal; Donald Mc Bride; Sir Errol Dos Santos—since 1955 they objected and their objections were on the grounds that you could build a place of public entertainment, but not where I live because it would encourage loud slamming of car doors, boisterousness and hooligans and loafers into the sanctum of the holy district. It was reported in the newspapers of July 1956 and it was said that you could build a place of public entertainment, but not in the sanctum of the holy district, not where I live.

3.05 p.m.

What I am saying, Sir, is that whatever may be said, there was a continual fight. Trinidad has been brought, maybe from pre-1956 days, to a point where we no longer have to go through a number of these battles, that there will only be growth.

Trinidad is a country which I love mainly because it is really the only true cosmopolitan country where all the races are living happily. It is really cosmopolitan; it is the only place where we have given a new sound in the 20th Century, which is the pan sound, to help take us forward in a certain way. Trinidad is a place where, since 1956, we have grown to the position where all races, really, are indeed, either equal or very, very near to equality, but I think that we are equal, striving at what our anthem has said.

Having said these few words, Sir, I congratulate the people who have fought; I congratulate the Government for bringing this Bill. I say it is not a political thing but, indeed, a spiritual thing; and I know, not only the people sitting here, but the goodly spirits in this Chamber are really feeling happy—some of those who really fought the battle.

I congratulate and compliment the people who have fought, who continue to fight, to continue doing the good work even when this had happened to keep our

traditions and our teachings, and to know that we really had a place, a family life, good and proper teachings like everybody else, so that we will continue to grow in self-esteem and not to feel inferior or different from anybody else.

I thank you, Mr. President.

Sen. Martin Daly: Mr. President, I am very pleased to join the support for this Bill and to congratulate the Government on its achievement in bringing it here.

I am particularly pleased to support this Bill because I believe that at long last, as a nation, we are getting over our inferiority complexes, and what I mean by that is, that all those people who subscribe to a particular belief system, whether it is religious, cultural or a mixture of both, are now able, because of the advances that have been made in Trinidad and Tobago, to claim their rightful place for recognition. It goes without saying that if any significant group in our society would like, for example, to have its own powers of marriage, that is a totally commendable thing and we must support it.

The only reason that I want to speak on the occasion of what I consider a very joyful day, is because I have listened to some of the other speakers and I want to sound a note of caution about some of the themes that have surrounded the introduction of this legislation. I sound a note of caution, first of all, about this question of reparations.

First of all—and I find myself in an unusual position—I would like, unqualifiedly, to commend the Prime Minister for his rhetorical question: By whom and to whom are these reparations to be paid? Are they to be paid by one victim of the past to another victim of the past? I think that was a very wise rhetorical question. I think we need to be very careful talking loosely about reparations for three reasons.

First of all, we must not confuse reparations, which is almost a term of art. Reparation is actually something that you make after warfare in order to compensate for brutality, loss of lands and things like that. So, we want to be careful that we do not misuse the word and we do not confuse “reparations” with “recognition”. This is an outstanding piece of recognition of a significant group in the society, but we must be very careful not to confuse the two things.

Moreover, let me expand on the two rhetorical questions which the Prime Minister asked and I would expand on it in this way. When he asked: By whom and to whom? Are they to be paid by one victim to the other? Is he not really

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saying this? That is we are talking about reparations in the sense of compensation for acts of brutality, then clearly those reparations cannot be generated internally. We no longer in this country have any representatives of pro-slavery or pro-indenture establishment against whom we can make that claim. No Confederate flags fly here. You can go to parts of the southern United States and see one group of people inflaming another group of people by existing and using the Confederate flag. We do not have the situation here.

As far as I am concerned, while race relations, religious relations and ethnic relations can always be improved, we do not have those kinds of tensions here and we must not import them with this loose talk of reparations. What we have to work towards is continuing to strive to recognize the various significant groups in the society, so that if there is to be any reparation, it cannot be generated internally.

Let us assume that the whole country and all the different groups in the country were to unite and seek reparations externally, well, I wish us well and, indeed, if anyone asks me to lend whatever skill or influence I might have to such a claim, provided we are pursuing it externally, I would be happy to do so.

But let me ask my rhetorical question. It is very rare that I take a tack different from my good friend Sen. Rev. Teelucksingh. If we cannot stop the G7 from completely assassinating the banana industry in our islands, if we are powerless to prevent that, what force do we have to pursue a case for reparations? Let us get real on this question.

What is significant, Mr. President, at the risk of repetition about this Bill and another bill which I had the pleasure of supporting in relation to another significant group in the society, is that it constitutes recognition generated internally by one group towards another group. That is what is significant about this; what is significant about it is that we are getting over our inferiority complexes. We no longer have a complex that a flag of one colour is inferior to a flag of another colour; that one drum, whether it is a pan or any other sort of drum, is superior to the other.

That is where this country is moving, and as much as I like Carnival, this is my opportunity to say that it has become clearer and clearer to me in the discharge of my public duty, that is one aspect of our culture that we must stop ramming down everybody's throats as the only dominant or superior aspect, because as fast as significant groups like these come forward in the society and we start to learn about their traditions and what they do, we recognize that it is every bit as good and every bit as significant as what many others of us do.

So, if this Government is to be complimented for the passage of this legislation and legislation we had earlier in its term in relation to another significant group in the society, it is because at long last we are making things equal and we are making things equal in a way in which no one can pretend to have cultural superiority over the other.

Far from pursuing pipe dreams about reparations, we should be continuing this thrust towards mutual recognition, group to group, and we should be continuing the thrust towards this: that on significant days of the year—I am not suggesting they should be public holidays—it is always a pleasure, for example, to see the person piloting this Bill, sartorially dressed, but it is particularly impressive to see the variety—and I use the word “costume” in the broad sense. I take great pleasure.

I went to the bank the Friday before the Emancipation weekend and I felt very pleased to see people wearing African garb on that occasion, as I am pleased on other occasions to see people wearing clothes that traditionally come from the Indian subcontinent. But, what is important about that is this. If we continue all this loose talk about reparations and unequal opportunity and so on, we will end up in a situation which is most undesirable. We are ahead of the world in the level playing field in this difficult business of relations with one another. We certainly do not want to end up with any separatist movement in this country.

So, what is so good about recognizing significant groups and giving them recognition to do their own marriages, for example, recognizing certain days on which the use of their music and traditional dress is significant, is that it allows everybody an equal place in the sun and when that particular day is finished, everyone melts back into his first and foremost position, everybody melts back into being a Trinidadian. That is what is so good about it. That is how we have to proceed. We have to recognize significant groups in the society, give them those powers that are consistent with moving forward as a united nation but no more. That is how we have to move forward and I feel very strongly about it.

All this loose talk about reparations, equal opportunities and all these different things, can only divide us. We have done very well so far. As a people, we work these things out ourselves. We do not need anybody directing us from the Executive, telling us how to get on one with the other. We simply need to provide opportunities for people to continue the business of mutually recognizing each other and, at the risk of repetition, I feel very strongly about it.

That is why I am unlikely to speak on the next Bill because I do not want to start about Trump again and I do not want to start about the inferiority that makes

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us bring Trump here to tell us what is beauty and to tell us what we must show the outside world in a hurried, mixed-up 10-minute production, and to tell me that is good for my country. That does not do anything for my country except maybe sell a few tickets abroad. This Bill is what promotes culture and religion and respect for our country, things like this; not importing somebody from abroad telling Minshall's puppets where to stand and so forth.

I probably would not speak on the next Bill because if I say what I think about our current tourism thrust and those who are involved in it, Mr. President, for the first time you might have to treat with me rather roughly. I am making the contrast because this is how we improve ourselves as a nation, by generating self-respect internally, getting over our inferiority complexes. We do not need Trump to come here to tell us this is a nice place. If we do not make it a nice place and we do not think so, bringing Trump here to tell us so, will make absolutely no difference.

This is how we gain our self-respect and this is how we move forward as a people, and that is why, although I am pleased that this has come forward—and I must congratulate the Government for making it two in a row during my tenure in this administration—I would like to sound these notes of warning.

3.20 p.m.

Equally well, Mr. President, I am going to take my life in my hands and say a few words, because I feel strongly about it—about this business of emancipation, and parks and statues. I think, Mr. President, the first thing we have to do now—we have had official emancipation for a very long time—is to rededicate ourselves to emancipating ourselves from narrow-mindedness and political greed. I think that is a far more useful form of emancipation. What this Bill does, of course, is it emancipates us from narrow-mindedness: where we look down—one group or other groups in the society look down on one group.

If I had a choice—I have studied the Standing Orders carefully on this, so I hope to get away with it—between living in a country that had Stone's Park, where political murder is committed nearly every day and I had a choice in living in a country, which for whatever reason, does not have a Stone's Park yet but nobody is murdering anybody politically, I know which country is more emancipated and where I would rather be.

Let us have our focus—important though it is, I am not saying that it is not important—on dynamic things. Let us have our focus on how we live with each

other as a people, instead of dissipating our energies on controversies about static things like a park, where to locate it, and who is responsible.

By the way, let us also, while we are on this subject, remind ourselves—I noticed what my good friend Sen. Shabazz said about if he got ill in a certain country. May I remind him that there are Africans of East Indian origin and there are Africans of Caucasian origin, so I am rather surprised to know that you would only be recognized if you got ill in Nigeria. The world has gone past that. In a real sense of the word “all ah we is one now”. In a real sense of the word, the world has gone past that. You cannot look at somebody by the colour of their skin or how they dress. Indeed another colleague—I would not call her name because we have patched it up—made certain wrong assumptions about my origin, but I soon set her straight on the matter and now we are the best of friends.

Also, while we are talking about parks and reparations, is it still our position as a nation, that we have to continue to look backwards to find out why we have no running water, why we have insufficient doctors and beds in the hospitals, and why we have broken down schools? Is that what we are going to continue to do? Saying that because of historical events so many years ago, that is why we have—to pick but three things.

I know that Sen. Diana Mahabir-Wyatt is always fond of giving me “basket”, so she is going to ask me to put some other things on the list, but I content myself with those three things. We are liberating ourselves by measures like these. Because what it does is, it causes people who do not belong to the group, which is being recognized, to study the group, see what they have been doing, find out things about them, and thereby move to a beachhead of mutual recognition. Mr. President, I have long wanted to say some of these things about which I feel very strongly. I do not think that mutual recognition any longer has to do—As a group, as a nation, mutual recognition is the objective we have to strive for, but we have to stay away from everything that is divisive.

Mr. President, I wish to repeat how pleased I am to say a few things in support of this Bill. I know I have sounded one or two cautionary notes, but I would like to begin as I ended. It is a signally good thing that yet another significant group in the society is being recognized, and no one can dilute the praise that is due to the Government for doing this. I just hope that the Government would stay steadfast to its purpose of mutual recognition. And some of the sillier things that are said by some of its ministers, particularly when we have an election, or things do not go well in a particular area of the country, people start saying silly things. They forget all the nice things they have said on the occasion of this debate, and they

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start saying silly things about what is an enclave and where they are making inroads and all this business. You do not make inroads in a country like ours: this is a united country, you do not make inroads anywhere. We have to be very careful when we talk about things like that. You cannot tell how somebody votes by the colour of their skin or where they live. All of that silly talk: I hope the Government would stay away from it and talk in the more lofty plains that they have spoken today.

Thank you, Mr. President.

Sen. Nafeesa Mohammed: Mr. President, I rise to make a very short contribution on this very historic piece of legislation. I would like to state that it is indeed a privilege for me to be able to stand in this Chamber today, to say how very happy we are on this side, to support this particular piece of legislation. We know that the struggle has been long and hard.

A while ago listening to my brother and colleague, Sen. Shabazz speak, he made mention of the atrocities that were experienced during the days of slavery. I simply want to make mention of the flip side of the coin, because I stand here as a descendant of East Indian immigrants who came to this country under the days of indentureship. Our forefathers, as well, have had to struggle long and hard for what Sen. Daly so rightly referred to as “recognition”. It is also a pleasure and a privilege for me, because I know that over the years this struggle has been going on and this particular piece of legislation is certainly in keeping with our philosophy and our outlook of unity in our diversity. We acknowledge that we live in a multireligious, multiracial, multi-ethnic, multicultural society and we are evolving as a society.

I remember the days when I was in high school. In those days my own colleagues of East Indian descent used to be ashamed to be seen eating roti in school. But today roti is acknowledged as part of our culture and it is widely accepted. This is just an example, as I said it is the flip side of the coin that Sen. Shabazz has spoken about. Today the members of the Orisa faith are here and they are seeing the fruition of many years of struggle. We certainly feel very happy to support the particular piece of legislation.

When we look at our statute books, we would see that it was since 1961, I think it was, that the Muslim Marriage and Divorce Act was passed in the Parliament of Trinidad and Tobago and the Hindu Marriage Act was passed way back in 1945. I am very glad to note that in this debate a lot of the politics have been taken out of the debate and we are looking at ourselves as a society developing and evolving, and we are certainly happy.

I just want to make mention of a point Sen. Mahabir-Wyatt raised: the issue of gender equity in terms of provisions of the Bill. I know the hon. Minister made mention of the fact that there is a task force that has been meeting with respect to reforming the marriage laws of Trinidad and Tobago. We know that there are several Acts in existence: we have the Muslim Marriage and Divorce Act, the Hindu Marriage Act and the General Marriage Act. I am aware of the fact that this task force has been meeting and on that issue of, for example, the age of consent when the issue of gender equity was raised, I think it was mentioned that in the Muslim laws it is 12 years for females to be able to consent to being married and 14 years in the case of Hindus.

What I recall is that—after discussing this matter with some Muslim scholars—one of the points they made mention of is the fact that what is looked at is the age of maturity. I suppose biologically, boys would be regarded as maturing faster than girls. It is the age of maturity. I am no scientific person. *[Interruption]*

3.30 p.m.

Mr. President, otherwise, in terms of the need for reform in that area, we certainly have our concerns as well, especially in today's society where that question of maturity will take into account the changes that have taken place in our society over the years. I simply want to put it on record that we on this side wholeheartedly support this piece of legislation, and we congratulate the members of the Orisa faith.

Sen. Nathaniel Moore: Mr. President, I thank you for the opportunity to join the debate in support of this Bill. It is, perhaps, like commending oneself, but I join in commending the Government for bringing forward a Bill like this, at this time.

As I sat here listening to other contributions, I thought about the one we got from Sen. Daly. It caused me to remember when about three weeks ago I was sitting here and Sen. Gabriel asked me, "Moore, what do you do besides preaching?" I said that I do not do preaching at all, now and then I make references to the Bible and other sacred books. I said to him, "If you want to hear a real preacher, he would not make reference to several religious books, but to one particular book, and you will know what his religion is," he is a preacher then. But I like to read religious literature of any sort I can put my hands on, and I try to get some but cannot get all.

I said that because he should have asked Sen. Daly that question, "What do you do besides preaching?" *[Laughter]* Because that is what he was doing a while ago, and I always admire his depth of sincerity in dealing with these local topics.

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We must know that in a country where we have freedom of religion it is just fair that people would believe different things and it would pose a problem for any civil government to legislate, to satisfy the yearnings of its citizens. This is a sort of worry, if you like, to me, because very often I ask myself, if you were not born in this country and you were born in some other part of the world, like in Africa, what would your religion be? I have a big problem with people in religion very often, because I am one who think that religious practices come from belief and you cannot tell a man what to believe. So when people start to talk about superiority of religious affiliation and so forth, I wonder what that means. In that vein, I like very much what Sen. Daly was saying, that we are all here, we need different things but we must accommodate one another, and if it is our turn to take the initiative, let us take it.

We are today different from the days that we all read and lament about all the time. We remember the time when in our own area here certain people could not practise their religion, it was not in keeping with the economy, perhaps, or even the conscience of the colonial or slave masters in those days. Up to recently, and at present, it may not be comfortable for some people to allow freedom, but we just have to go along with it because of the spirit of the time. It is fair because, as I said before, you cannot tell a man what to believe. And so it is in this light that I think it is quite correct to allow any group, the Orisa or any other, to practise their fundamental beliefs and to live, as their conscience would have them, in regard to the God that they serve.

This itself is part of the problem I mentioned, too, because as one former speaker mentioned, certain groups might have been left out, which is inevitable. As the Minister has given the assurance that the Bill is under study—and we must know that since we have been here we have done so many amendments to so many Acts—we are hoping that in the light of new experience we will have amendments to bring in more and more of these people. We will never be able to satisfy fully because religion seems to be one of the driving forces in this kind of determination. Religion by nature, if you will pardon me, can be cohesive but it is also divisive. Because I tell myself that religion has within it the seeds of its own breaking up.

I do not want to go into this because I am not any big theologian, or any theologian at all; I did study theology a bit. We see so often that little groups are unhappy as to what is happening in the larger group and they want to do their own thing and so on, and we cannot always accommodate that, but we can do it in the best way we can.

I want to refer to, I think it is clause 9, where more than one person mentioned the idea about the age. I want to say there that we consider it—I hope I understand it right—as the minimum age. I think I said here before that it might be better if people prepare for marriage. The idea of the ceremony and what happens today is one thing, but people must prepare for marriage if we want to have lasting marriages. If you want your marriage to last, and with it a family relationship, then it must be something prepared for. If people are too immature and they are married in the absence of support from an immediate family, there is danger of fracturing. So these ages mentioned here must be minimum ages, and we must consider that the right age to marry is the age when a person is well-prepared emotionally and economically, so that a family can be secure when it is established, and it would continue to be secure.

Mr. President, I must again identify with this Bill and say how happy I am, as a member of this group, to participate in making this bit of law a reality in our society. Since we are preparing for our own livelihood within our own community and whatever we do is not necessarily dictated by people outside, then it is quite fair and reasonable that we provide for one another so we can build the kind of society where we could have mutual trust and regard for one another's beliefs. This would strengthen our life and living within our country and make life more meaningful for all of us and build a society which would minimize crime and evil. Since religions do not teach things that are hostile to civilized and good living, they are worthwhile of being supported and given all the encouragement and help because, in turn, they help to weld the society together and to make the future happier and brighter for all of us.

Mr. President, I am happy to support this Bill.

Sen. The Most Rev. Barbara Gray-Burke: Mr. President, I rise to support this Bill. In 1995 I came into this Parliament representing the Shouter Baptists, and Archbishop Mahase as representing the Orisa movement. The two groups were appointed by the Prime Minister, hon. Basdeo Panday, whom we must say thanks to at this present time.

I was sitting on that side so I have the experience of Opposition, and I have the experience in Government. I remember fighting and struggling for recognition for the Shouter Baptists, and Archbishop Mahase was struggling to get recognition for the Orisa movement, but fate, at that time, did not have it to be. No recognition came to us. But as I sit here, a sense of feeling over-shadowed me. I remember the hon. Persad-Bissessar standing in our defence and

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battling for hours. I remember that battle that day, as I sat here, when she battled, begging for the recognition for these two groups.

I also remember the hon. Sen. Daly, every now and again I would go back to his contribution and read it over and over, because he said he never knew that a group went through such great trials and tribulation, beaten, placed into prison, sometimes being fined and imprisoned! He did not know that this group called the Shouter Baptists went through that struggle.

Mr. President, I want to tell you that today is a red-letter day. You know what I remember, too, as I sit here, Sen. Yuille-Williams when she read. She said that on her way to Parliament she was told that a Spiritual Baptist ordained an Orisa the day before. I had to get up and tell her that I was the person who really ordained an Orisa the day before. So today when we sit in this Parliament—the Baptists have something they say, “and are we yet alive to see each other’s face, glory and praise to Jesus name, “—I could remember that.

When I remember the hon. Prime Minister giving the recognition of the day that we can celebrate every year, March 30. The Orisa still have a little way to go because they, too, wanted a day, and now they have their Marriage Act. I am a marriage officer and I am also on the task force together with Miss Eintou Springer plugging here and there and looking at the various instruments that are to be removed, under the guidance of the hon. Kamla Persad-Bissessar.

I say thank you to this body. I am happy to be a member of this Government where I can see our two groups now getting dignity, self-esteem, respect and recognition. On Sunday I attended an interfaith service where I had to speak, and I expounded that the steelband movement went through a struggle. Arnim Smith also had to draw my attention, when he said, “Remember the days, when you see the Black Maria turn the corner, the steelband man and the Shouter Baptist had to run!” But we are no more under those dark days; I call them dark days, Stone Age. That has been removed and now we can look to the 21st Century, and one man did it. I go back to saying fate again.

Mr. President, we could not get the ordinance removed, it took 34 years from 1917—1951, so something should be placed in honour of Archbishop Elton George Griffith because that was the man who got the Act repealed. It took another 45 years, when I came into the Parliament, to start pleading and articulating that we must get a day in recognition, but our voice was not heard. It was a voice crying in the wilderness. What I can say is that one man did it, the hon. Basdeo Panday. [*Desk thumping*] So we say long life to him and let us be thankful, let us all be grateful.

3.45 p.m.

I remember, too, when the Act was being repealed, Chanka Maharaj sat in this Senate, along with Tubal Uriah Buzz Butler and others. It was Chanka Maharaj who had the privilege of bringing pensions to the Parliament and the same repeal of that Act. So we must say, God bless our nation. Something should really be done where Archbishop George Griffith is concerned, because he paved the way for the Orisa today, and they are having a big festival, a conference, beginning on Sunday, which is the first in history.

So many things are happening to the various indigenous groups of this land. The steelbandmen have their ceremony on Sunday, which is another big day. I would say that the playing field is becoming level. The equality that the National Anthem speaks about, where every creed and every race must find an equal place, is now becoming a reality. I would say we have a dream but unless we see parks, squares and monuments of our heroes—we are walking slowly, but some day we are going to get there, hopefully by the year 2,000, the Quame Ture Drive will be a reality. *[Laughter]* Let each one of us who sits here make up our mind to vote that we would make the Quame Ture Drive a reality.

I thank you, Mr. President.

Sen. Mahadeo Jagmohan: Mr. President, I join with the other Senators in expressing a few lines on the Bill before the Senate. I merely wish to advise or remind the hon. Minister of Legal Affairs that I have got a birth certificate similar to the one described by the Prime Minister. I have one just like that. I wish to state that my parents were married under the “Bamboo” system and they remained married for 55 years and only death parted them. I am sorry—I would not call the names or describe the village—but I came from an area where there is a strong Orisa movement. I do not know exactly how to describe it. I have been—from the time I was at primary school—to many of their celebrations, there is a great similarity between certain Hindu functions and the Orisa celebrations. There is also some similarity between some of the functions and celebrations of the Mexican people. I have seen them all and I am able to see that there is a great similarity.

The Orisa Marriage Bill was strongly supported in a detailed manner by my colleague, Sen. Yuille-Williams. I associate with her in that regard, therefore I would not take up much parliamentary time. What is very significant in what the Prime Minister said, is that it is going to be the first such piece of legislation

anywhere in the world. I do not know who did the research but if that is so, then it is a great thing. A great deal of praise was given to the Prime Minister for bringing the Bill. We also praise him, but why is he the Prime Minister? He must be doing things like these. *[Laughter]*

Why is the gracious lady the Minister of Legal Affairs? It is her responsibility to bring legislation. This brings me to a little old saying; the Chinese man in the village had a donkey that could not pull the load up the hill, and he was beating the donkey. They asked him why he was doing that and he said, “why ban donkey for?” *[Laughter]* You understand.

So Prime Ministers and Ministers of Government must serve the people well. The fact that the Prime Minister brought this, he has done his duty. I have observed that the various communities in Trinidad have their special ways in which they dress for certain occasions, maybe on the basis of how the indigenous people from the various countries dress—and it would be a very happy day when the Orisa community introduces a certain manner of dress with which, perhaps, they could identify, that would further enrich the culture of the people of Trinidad and Tobago. We look forward to that day.

Mr. President, I had a small experience and I will share it. In 1982, I was among a delegation of two other people from Trinidad and Tobago who were invited guests of the American government for discussion on the Caribbean Basin Initiative. The present Governor of the Central Bank was a member of that delegation—it was only three of us and one other senior public relations person. There was this big conference which the President of the United States attended and addressed and so forth, at the Pan American Building in Washington, D.C. Soon after the function, there was great feasting and the representatives of the Dominican Republic and Haiti provided their separate stalls with a variety of food. Mr. President, that was really tasty food because it was patterned according to food to which they have grown accustomed from the various African countries. It was a really good and thrilling experience.

I am not holding myself out as adviser here to anybody, but I happen to be in a position where I am one of the signatories for some years now—I do not know for how long again—to sign the final form to make people marriage officers before it goes to the Registrar General’s Department for approval. I may have to sign about five such forms in November or December this year. People are in training right now, so I know what it entails and I know what instructions we give to those pundits when they perform marriage ceremonies. I am making a plea here that when representatives of the Orisa movement become marriage officers, they

should counsel the newly married couples in a very serious way that divorce should only be considered in extreme cases when there is no other way out. I hope they would give consideration to that aspect.

When the hon. Minister of Legal Affairs made mention of the ages of the contracting parties or the parties that would be getting married—12, 14 and something, and that the task force is looking at standardizing the minimum ages for getting married, I felt happy about it. I want to suggest to the Hon. Minister of Legal Affairs that the research could be done right here; the legal people in her office can consult with people.

A great book compiled with advice of saints and sages by a former ancient King of India, Lord Manu, gave the advice after study and research about the minimum age for marriage. Several hundred years ago King Manu proposed that for the female a minimum age for marriage should be 16 and for the male 24—a disparity of eight years. People have their views about that but then a later great religious reformer came on the scene and said that such injunction, advice or rules can be modified to suit different countries of the world because maturity of both genders takes place in a particular way based on climate, food and on so many other considerations. Perhaps the hon. Minister of Legal Affairs can give her legal people some direction on how to research this and come up with the real age. Perhaps for Trinidad and Tobago 18 years for the female will not be bad as it might be more realistic. *[Interruption]* Perhaps it is a more realistic age. So I am suggesting consideration be given in that regard.

3.55 p.m.

I, too, join—well Sen. Daly was very outspoken about it. I want to compliment him. He is not here right now. All the discussions that went already, I am not going to harp on them, but to talk about reparation—I do not know if that is how the word is pronounced—*[Interruption]*

Hon. Senators: Yes, yes.

Sen. M. Jagmohan:—in this country at this time is treading on dangerous ground and is going to create the worst kind of difficulties for all of us. We should proceed with care in that regard.

Mr. President, I, too, congratulate the Orisa movement, followers or adherents. I do not know if there is a formal—yes, we are told there are two formal movements—but I congratulate all the adherents of the Orisa faith for coming together and organizing in a way that will benefit us all. One or two of my

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advisers told me the reason the Chinese people have such a wide variety of Chinese food is because in their practice of ancestral worship they had to prepare as long a list of dishes as possible for the occasion and that is why Chinese food is loved the world over. I am wondering if our people of the Orisa movement could give some thought to introducing a few things that we would appreciate, things we perhaps do not know about and they alone know and they did not get an opportunity to present to the public.

With these words again we compliment the Minister for bringing this Bill to the Senate and we congratulate adherents and followers of the Orisa faith for agitating steadfastly to have their dreams and hopes become a reality. I thank you, Mr. President. [*Desk thumping*]

Sen. Cynthia Alfred: Mr. President, I shall be brief. Today is indeed a very good and happy day for all of us in the Parliament and I believe all the people in Trinidad and Tobago, for today the Orisa has been given a particular form of recognition. I say a particular form because this religion has been recognized but in certain areas recognition has not been given. Today, however, we are happy that this Bill is being piloted to give to the Orisa faith the opportunity to perform the marriage act.

Mr. President, I have been closely associated with traditional forms of African worship for most of my life. As a matter of fact, I lecture at an institution where one of the topics I do year after year is African Heritage. I feel it is so important, especially for the young people, to have an idea. They must know where their tradition lies and it always gives me very great pleasure to be able to explain to them some of the things that they did not know. I want to advance that in our schools and learning institutions we must let the youngsters know where they came from because if we do not know from where we came we will not know where we are going. This will apply not only for persons of African descent but for persons of Indian descent and other races as well. It is good that a man should know where his roots lie.

When Sen. Shabazz was talking, Mr. President, as soon as he said the word, "drums", I felt a particular feeling. Every time I hear the word, "drums", a particular feeling comes to me. When I hear the drums themselves it somehow gives me an even greater sense of belonging. I have been associated with culture in Tobago for a long time and one will recognize that the main reason the Heritage Festival was brought to Tobago was so that we could recognize and keep alive the traditions, particularly the African traditions, there in that island.

I would like to put on record in this Senate the names of certain persons who have worked very hard indeed, and who are here today, to bring about this Bill. They are not, of course, the only persons but they have worked assiduously to see this Bill come to fruition and I would like to recognize them by calling their names. They sit there in the audience and they are Baba, which means father, Baba Monsigue—*[Interruption]*

Mr. President: Senator, I am sorry, you are not allowed to make reference to strangers in the gallery by calling names.

Sen. C. Alfred: Oh, I cannot call the names? All right, Mr. President, thank you. As I said, we would like to recognize persons sitting here who have made a great contribution towards the realization of this particular Bill. In conclusion I say—well he is not in the audience—this is Obatala, he is a Shango God, and he was the king of dreams. Today he must be very proud, wherever he is, to see that this particular dream has become reality. I thank you, Mr. President. *[Desk thumping]*

The Minister of Legal Affairs (Hon. Kamla Persad-Bissessar): Mr. President, I want to especially thank all Senators for their uncommitted support to this Bill. I think that is a wonderful thing given Sen. Daly's comments. I was very touched by his comments about mutual recognition and I thought that was such a good point, that what we need to do in this society is give mutual recognition to the various groups that make up our society. He made a passing remark about the clothing of the person piloting the Bill, myself, being in keeping with the various festivities.

I strongly believe, very much as he does, that whether we have come to Trinidad and Tobago on the slave ships from Africa, the indentured ships from India or on other ships from Europe and, of course, from China; whichever part of the world we have come from—*[Interruption]*—Syria, the point is that we need to recognize, appreciate and understand the differences from which we have come. *[Desk thumping]* I think this is the point Sen. Daly was making when he said we must give that mutual recognition. Whilst we understand and appreciate that we must recognize our differences, I think he also knows and we all know we must go one step further. We must recognize, understand and appreciate our sameness, that we are citizens of Trinidad and Tobago.

This is why I want to disagree with the hon. Sen. Shabazz when he said that if he were in Africa and he fell down dead—well I hope he meant he fell ill, because if he is dead I suppose that is the end of it—but if he fell unconscious in Africa,

that if he did not speak he would belong there. Then his sister, Nafeesa Mohammed, said, “My brother, Sen. Shabazz, what would they have done with me?” If we looked at the world in the way in which the Senator is looking at the world—and again I want to speak of the words of the hon. Sen. Daly when he said in the world in which we now live, and especially here in Trinidad and Tobago, I know if Sen. Brian Kuei Tung or Sen. Nafeesa Mohammed or Sen. Shabazz fell unconscious or any one of us here in Trinidad and Tobago, we would be citizens of Trinidad and Tobago whether we spoke or not. [*Desk thumping*]

The same would be true for Sen. Daly or Sen. Andrew Gabriel. So it does not matter which ship we came on. We recognize the differences. We appreciate the differences. We give what Sen. Daly talked about, mutual recognition to what we are, where we came from and what we want to be in this country, but we must always bear in mind that we are basically the same. We have the same hopes, aspirations and dreams for this country of ours. Since Senators want to intervene I will let them have a go.

Sen. Yuille-Williams: I am sorry, I do not like to interrupt but I must be touched when I hear you—and it just came to me—talk about all the people who came and I said, “Are we not justified in having an Arrival Day, then?” Remember?

Sen. Mohammed: I would like to ask, perhaps the Minister would agree that we may have come on different ships but we are all in the same boat.

Hon. K. Persad-Bissessar: You are agreeing with me. I do not want to go into the debate about Arrival Day or not and Indian Arrival Day and what not. That debate was well thrashed out in this honourable Chamber some time ago. I really do not wish to reopen that debate. I think Sen. Barbara Gray-Burke talked about the time when we were engaged in that debate and, Senator, you were also involved in that debate when it went through and the Government of the day refused to give the Spiritual Shouter Baptists their holiday. I did not intend to do this at all, but because of the comments that have come I think we are well justified in saying what really happened.

So when Sen. Shabazz stood up and said, “We are the only people—I am proud to be African,” I tell you that I am proud to be Trinidadian and Tobagonian. I am proud of that. [*Desk thumping*] But I am also proud, as I said before, that we came from different parts of the world and we brought different bearings and different ways of living.

He said we were the only people who came and there were laws that discriminated against the practice of our religion. Totally correct. You are totally correct, Senator. The laws discriminated against the practice of religions from Africa. There is no question about it, the laws discriminated. My question to the Senator is, if he is so serious, what did he do all those years in Government? Not one of those laws, which discriminate against African religion, has been taken off the statute books. Not one! Today I talked to you and I said we have given the commitment. The Bill is already drafted and we have done it because we have listened to the cries of the Orisa. It is not from us, the cries of the Orisa themselves and I would talk about this in a moment.

4.10 p.m.

They came to us and said all of this was on the statute books, the Miscellaneous Laws (Amdt.) Bill 1999, and I am talking about all the laws in the Summary Offences Act which make it an offence to carry lighted torches, beat drums, blow horns in public places, and other religious observances and ceremonies that are an integral part of religion on our statute books—barred, prevented from being done—because of colonial rule. It is this Government who would take that step in bringing the law to take this completely off the statute books.

In my respectful view, I do not want to be disrespectful to the Senator, but I think it is hypocritical to stand and say, “I am proud, I am proud.” It is great being proud, I do not mind that, but then you must not only talk the talk, you must walk the walk. You must walk it. When we talk like that—I totally agree that this Bill is not about politics; I agree as Sen. Daly said, this Bill is for mutual recognition, it recognizes and brings people together in this society and when the Senator speaks like that, he is in effect, opening up divisiveness in the society. With the greatest respect, it is very divisive. None of his colleagues, Sen. Yuille-Williams, was involved in that and I am very sorry it has to come to that on a day like today.

Sen. Rev. Gray-Burke said this is a red letter day and it is so for more than one reason, and this week would be a red letter week. It will be because the Bill, with the support you said you would give us, would become the law of this land so historically, that is red letter, for the first time that would happen.

Even more important, I join with the members of the Orisa faith in welcoming to the shores of Trinidad and Tobago that great spiritual leader who would be coming for the congress—the Oni of Ife would be in Trinidad and Tobago. [*Desk*

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thumping] I would join with them. So let us put these differences aside, I say respect them, and look for them. In the same way the Senator mentioned that there is a Swami who is visiting from India right now in the country. This country is blessed, Shah Rukh Khan was also here. Even from China and Sen. Kuei Tung has reminded me—when the Senator spoke about Shah Rukh Khan and the Swami and the Oni—that recently the Chinese dance troop was here. This land is blessed because we can source from all that is our heritage from all over the world, all that is good. So let us take the good and leave what is negative so we can live together in this country.

I thank Sen. Yuille-Williams because I was really impressed with her concern and I could hear in her voice that she really wanted to see this become law, but she voiced one or two concerns which I would try to answer as best as I can.

She mentioned that concern had been raised by other groups that by clause 6 we may be in effect, discriminating against certain groups and only specific selected groups would be recognized groups. I want to say this is definitely not the intention and it would not happen. Whilst there are two organizations that are incorporated by statute, at the moment this gives them legal status. That is to say, as a legal entity they can sue or be sued, they can own property as a legal entity as any other company. But recognition, as we are dealing with it in the Marriage Act, is recognition as afforded by the Minister under the section, and if we look at the other Marriage Acts, they all have a similar provision, and as you have heard Sen. Jagmohan say when a marriage officer applies for a licence as head of his organization, he has to sign something saying this is a fit and proper person from my organization. So it is a check or balance on all the statutes if you look at them.

The Hindu Marriage statute says:

“7(1) Any Hindu priest who desires to be licensed as a Marriage Officer shall make application in writing to the Minister. The application shall state the dwelling place...and shall be accompanied by a certificate to the effect that the applicant is a fit and proper person to be licensed as a Marriage Officer from the President and Secretary of one of the following organisations:...”

And the organizations are listed. At the time when this law was passed I guess there were specific organizations.

“...The Sanatan Dharma Maha-Sabha of Trinidad and Tobago, the Kabir Panthi Association of Trinidad, the Arya Pratinidhi Sabha of Trinidad and any other Hindu organisation which may be recognised by the President as hereafter provided.”

Again, where the Act says, any Minister of religion who desires to be licensed as a marriage officer shall make application to the Minister, and such application shall state dwelling place and the name of the religious denomination to which he belongs and shall be accompanied by a certificate from a local head of such religious denomination, what we have now in the proposed Orisa Bill at clause 6 is:

- (1) “Any Orisa Priest or Priestess who desires to be licensed as a Marriage Officer shall make an application in writing to the Minister.
- (2) An application made under subsection (1) shall state the dwelling place of the applicant, the place of public worship at which the applicant acts as Priest or Priestess and shall be accompanied...”

Sen. Dr. St. Cyr: I want to know who certifies the Orisa applicant as fit and proper.

Hon. K. Persad-Bissessar: In the case of the Orisa, I am now reading the provision so if you would allow me it would answer your question.

“An application made under subsection (1) shall state the dwelling place of the applicant, place of public worship at which the applicant acts as Priest or Priestess and shall be accompanied by a certificate from the Head of a recognised Orisa organisation to the effect that the applicant is a fit and proper person to be licensed as a Marriage Officer.”

There is a difference in that it says, “a recognised Orisa organisation.” If you see the amendment we have proposed in clause 6(3) it says:

“An Orisa organization shall be designated as a recognized Orisa organization by the Minister in accordance with prescribed criteria.”

What that proposes to do is, under regulations, we would set out the criteria. At the moment, there are no fixed criteria for the others. I have read the provisions for the others and it says the head of that organization will send it. How do you say who is the head of the organization? At the moment, in practice, what the Registrar General does is to have prescribed criteria without them being fixed in any regulations. That is to say, the organization must be incorporated either by statute or otherwise under the Companies Ordinance, as a charitable organization or a non-profit organization or in some other way. The organization would have its president and its secretary so those things are happening in practice.

I mentioned to you that we have set up the task force and under the task force, this was one of the areas that discussion had arisen as to having the criteria set within the regulations. This has been, in my respectful view, an improvement on what exists at present for the other statutes. I have said under the task force that we would continue reviewing the other pieces of legislation and even in terms of the regulations, what are the prescribed criteria. The prescribed criteria would be determined in consultation with the Orisa groups in this case.

I share the concern of the Senator and that is to say that we must ensure that we do not block out any of the 200 organizations she has mentioned and give credibility or recognition to one, two, three or four. It is not my intention to do so at all and I would make every effort, with the Chief Parliamentary Counsel and the Registrar General, to ensure that does not happen.

In the meantime, in the other organizations under the Hindu Marriage Act, for example, there are numerous organizations where their priests can apply for marriage officers' licences so it is not to say there are one or two groups and you must go to these umbrella groups for the rest. Once we can establish some criteria to say this is a functioning *bona fide* group, that is how it would work. We would not block out any group, that is not the intention.

Sen. Yuille-Williams: I am just trying to clarify this. I understand you can have what are called individual shrines, which are incorporated and, therefore, this whole idea of the group is what is worrying me. In terms of the individual shrines, I have been told they ought to apply directly to the Minister or President, rather than the head of a group. There are umbrella organizations incorporated, you have individual shrines incorporated, which are not groups, this is what I am talking about.

Hon. K. Persad-Bissessar: I am sure the Senator would well appreciate that not every "two by four" group with two persons in it can be a recognized group. I am sure she can appreciate that, and I know that is not her intention, but again where there is a *bona fide* operating group, they will not be locked out from making applications. but we would have to have checks and balances to prevent a "two by four group" with two or three persons and having three of them being marriage officers. There must be some criteria to give that check and balance, but the intention is not to lock out any groups.

The other question where the Senator said that certain rights and practices that are now carried out will not be able to be practised. Under this piece of legislation there is nothing that prevents any practice that at present prevails and, indeed, I

went further to point out that certain practices are now prohibited in law but which form part of the religion. We are taking steps, under the Miscellaneous Laws (Amdt.) Bill which we would be bringing to Parliament shortly, to remove those discriminatory practices.

I state very categorically that if there is concern with respect to that, there is no need, in my respectful view, for concern with respect to the issue that there are practices now in which the groups are engaged and which they would be prevented from doing under this new piece of legislation. This is not the case at all.

In terms of the comments made by other Senators, I thank Sen. Dr. Mc Kenzie for reminding us what this is all about, and when she talked about the actual ceremony and what was happening, it was very heart-warming and touching and she reminded us that while we are giving mutual recognition, and yes, this is a wrong that we are correcting at long last, what we are really about in bringing this piece of legislation, is marriage and the family and I think the Senator very clearly brought that out for us.

Sen. Jagmohan, like himself too, I think growing up in the South—because I know it is the South to which he referred—we have been exposed to, and attended Orisa ceremonies, practices and customs and so forth. I have been very fortunate and perhaps that is why I feel so happy to be here piloting this Bill. I know in my own family that we have spent a lot of time in Siparia in an Orisa shrine. That has given me strength in time of need, and that is the beauty of Trinidad and Tobago. I am born a Hindu, my parents are Hindu, I was baptized in the Orisa faith and I attended a Presbyterian school. That is the beauty of Trinidad and Tobago, everyone has an influence on us. And as I said before, we have brought so many rivers to flow into the same sea.

Mr. President, 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.

4.25 p.m.

Mr. Chairman: Hon. Members, this is a Bill that contains technically 38 clauses with the Schedule. I suspect that there will be no proposals or amendments so, in the light of that, I suggest that we do the Bill in clusters of six, rather than clause by clause. Do I have your agreement?

Assent indicated.

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

Clause 6.

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

Sen. Yuille-Williams: Could I make a comment on clause 6?

Mr. Chairman: Just a comment.

Sen. Yuille-Williams: I was trying to get clarification.

Mr. Chairman: Go ahead.

Sen. Yuille-Williams: I hope the hon. Minister does not think that I am really beating this point, but in the clause 6 that we are going to look at, I was asking and, with your legal mind, you will tell me. We have incorporation of groups and we have incorporation of individual shrines which have been accepted, so they are both legal: the groups and the individual shrines. This is the point which I have reached, in terms of somebody from an individual shrine wanting to get a marriage licence, who is going to deem that person fit and proper? Or, is that person going to have to get it from one of the groups? Or, can the person apply directly to the President?

Mrs. Persad-Bissessar: That person can make an application like any other priest or priestess of the religion to the Minister.

Sen. Yuille-Williams: Oh, so it goes back half turn or, as it said, get a certificate from any head of the organization.

Mrs. Persad-Bissessar: No. Well, the head of the organization would be that shrine.

Sen. Yuille-Williams: It could be the individual. All right.

Mrs. Persad-Bissessar: You see, they must have an organization and, if the Senator is saying it is an individual shrine, then there will be a head there. I assume there will be a head at that shrine.

Sen. Mohammed: But, if all of them fall under the umbrella of the two recognized groups.

Mrs. Persad-Bissessar: I am advised that all the shrines have a head and, therefore, that head can do the certificate that this person is a *bona fide* member of my shrine.

Sen. Yuille-Williams: Oh. I was trying to get that clear so that we would understand. Thanks a lot.

Question agreed to.

Clause 6 ordered to stand part of the Bill.

Clauses 7 to 12 ordered to stand part of the Bill.

Mrs. Persad-Bissessar: Mr. Chairman, in the other place, we had deleted clauses 13 to 15 of this Bill, so there are no clauses 13 to 15. It means, therefore, that what is now clause 16 and thereafter, is typographically wrongly numbered and should be numbered 13 and chronologically numbered thereafter.

Mr. Chairman: Numerically.

Mrs. Persad-Bissessar: Numerically, yes, not chronologically. I am sorry. Clause 16 will now be typographically corrected to be 13 and, thereafter, subsequently renumbered.

Clauses 13 to 38 ordered to stand part of the Bill.

Schedule ordered to stand part of the Bill.

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

Senate resumed.

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

[*Desk thumping*]

Mr. President: We will proceed to tea at this stage and resume at 5.10 p.m.

4.35 p.m.: *Sitting suspended.*

5.10 p.m.: *Sitting resumed.*

Mr. President: Hon. Members, you will recall that earlier today, while we were dealing with the Forests (Amdt.) Bill, we deferred debate of the last clause in the Schedule for later on in the proceedings. I will now re-open debate on that new section and call on the Minister of Public Administration.

FORESTS (AMDT.) BILL

House of Representatives Amendments

The Minister of Public Administration (Sen. The Hon. Wade Mark): Mr. President, we have circulated to Members of the Senate the corrected version as was requested by fellow Senators. We did have some discussion with Sen. Prof. Kenny on the matter and it appears from his response, so far, that all is well.

Mr. President, I beg to move that new section 12—[*Interruption*]

Sen. Prof. Kenny: Mr. President, I have already spoken on that and I have pointed out a typographical error on page 3, where there is a mixture of italics.

Sen. Mark: Thank you, Sir. [*Crosstalk*] Mr. President, having regard to Sen. Prof. Kenny's observation, we will correct this particular matter.

Question proposed.

Question put and agreed to.

5.15 p.m.

**MOTOR VEHICLES AND ROAD TRAFFIC
(AMDT.) REGULATIONS, 1999**

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

Whereas it is provided by section 100 of the Motor Vehicles and Road Traffic Act that the President may make Regulations in respect of, *inter alia*, the better carrying out, generally, of the provisions of the Act and in particular for the safety, control and regulations of traffic and the use of vehicles or any class of vehicles on any road and the conditions under which they may be used;

And Whereas it is also provided by section 100 of the Act that Regulations made under that section shall be subject to affirmative Resolution of Parliament;

And Whereas the President has on the 9th day of September, 1998 made the Motor Vehicles and Road Traffic (Amdt.) Regulations, 1998 (hereinafter referred to as "the Regulations");

And Whereas the Regulations were laid in the House of Representatives on Tuesday 13th October, 1998 and in the Senate on Thursday 22nd October, 1998;

And Whereas the Regulations were approved by the Parliament subject to amendments;

And Whereas the amendments recommended by Parliament have been incorporated into the Motor Vehicles and Road Traffic Regulations, 1999 which was laid in the Senate on Tuesday August 03, 1999;

Be It Resolved that the Motor Vehicles and Road Traffic (Amdt.) Regulations, 1999 be now approved.

Mr. President, on the 9th day of October, 1998 the President caused to be made the Motor Vehicles and Road Traffic (Amdt.) Regulations as provided under section 100 of the Motor Vehicles and Road Traffic Act, Chap. 48:50. The regulations were laid in the House of Representatives on October 13, 1998 and in the Senate on Tuesday 22nd October, 1998. The regulations were debated in the Senate over two sessions and were duly passed subject to certain amendments. The regulations were then first debated in the House of Representatives on March 19, 1999 and two further sessions were devoted to the Motion.

At the debate's end, further amendments were suggested by the Opposition and factored into the regulations. In order to fulfil the proper procedural requirements by which a Motion such as this must be approved by way of affirmative resolution, a Motion consolidating all the previous amendments as made in both the Senate and the House of Representatives, is now submitted for formal approval.

Mr. President, I beg to move.

Question proposed.

Sen. Nafeesa Mohammed: Mr. President, I wish to start my contribution this afternoon by expressing my very strong disapproval and, in fact, the disapproval of all my colleagues on this side, at the manner in which this debate on these regulations is taking place in this Chamber this afternoon. I say this because these regulations were laid in this Chamber on August 03, 1999—which was last Tuesday. When we adjourned last Tuesday, the hon. Leader of Government Business indicated to us the order in which we were going to deal with certain matters. He indicated that we would be dealing with amendments to the Forest Bill and the Sawmills Bill. He also indicated that we would be dealing with the debate on the Orisa Marriage Bill followed by the Tourism Development Bill. Yet here it is today, August 10, and some time just before lunch I was informed that the Government intended to proceed with these Motor Vehicles and Road Traffic (Amdt.) Regulations, 1999. I view this, Mr. President, as an act of bad faith on the part of the Government and the Leader of Government Business, in particular. Because it is a case where they are trying to railroad a very thick bundle of regulations with respect to these amendments. *[Interruption]*

Sen. Mark: Mr. President, I rise on a point of order. I think that the hon. Senator is misleading this Parliament.

Sen. N. Mohammed: How?

Sen. Mark: I did indicate at the last sitting what we were going to deal with. I agree with the hon. Senator, but after the sitting when the Senate was adjourned, I approached both Sen. Prof. Spence and Sen. Mohammed.

Sen. N. Mohammed: That is not so.

Sen. Mark: I told them that, for instance, we did not have Land Acquisition on the Order Paper. We did not indicate the question about traffic regulations. I spoke to Sen. Prof. Spence today and he said that he has no difficulty.

Sen. N. Mohammed: He is misleading the House.

Sen. Mark: I spoke to Sen. Mohammed, in the presence of the hon. Senators and I told her—*[Interruption]*

Sen. N. Mohammed: Mr. President, I rise on a point of order. I think the hon. Senator is misleading the Senate, as usual. I have it written down—what we were going to do today.

Mr. President: Hon. Senators, this is a matter that I was not party too; I do not know who is saying what. The point is, the debate is open and, Senator, I think we ought to carry on.

Sen. N. Mohammed: Mr. President, I heard the hon. Minister of Works and Transport say that this is going to take just about two minutes. The Government is being very presumptuous in terms of our business in this Chamber. Because here it is, a very thick bundle of regulations has been laid in this Chamber. And, Mr. President, you know that whatever the Government is doing one always has to look somewhere in between the lines; there is always some little thing hidden there. It is these acts of what I consider to be deception that we have to guard against.

Mr. President: Hon. Senator, I think I ruled on the issue already. Please proceed with the debate.

Sen. N. Mohammed: Mr. President, I am merely looking at the regulations before us this afternoon and I see that there are 62 pages. And because of the fact that—*[Interruption]*

Sen. Baksh: Mr. President, on a point of clarification. The hon. Senator would have us believe that this really came here on August 03, 1999. This was laid in the House since 1998, as part of the overall Motion and when it went to the Lower

House, the Opposition suggested that all the forms and so forth, should become part of the Motion, and in bending over to accept that very worthwhile suggestion, we accepted that. It went to the lower House two weeks ago and it was accepted and it is here today, without any changes that were suggested. It was to be incorporated and become part of the Motion.

Sen. N. Mohammed: Mr. President, whilst the hon. Minister has sought to explain the position, this is yet a further objection that we have with respect to these regulations this afternoon. Because when one looks at the bundle, there is no way that one can tell, from looking at this bundle here, as to what the original regulations were and what were the amendments that were proposed—whether they came from the other place, or wherever.

5.25 p.m.

It is said that this bundle here represents a consolidation of all the amendments. We certainly would have liked to know what were the proposed amendments and what amendments were incorporated by Government. Where are they in this? This is something that requires more detailed scrutiny especially since it deals with issues that were very contentious in debates in this Chamber when the original document was laid here last year.

I remember, Mr. President, that we had very intensive debate on these matters because these regulations sought to deal with the establishment of the operations of private garages and the licensing system and so forth. It is not something that we are expected to simply come and take for granted that this bundle represents everything that is good and it is good legislation and we must accept it. Mr. President, this is forcing something down our throats and we object strongly to the manner in which they have dealt with it.

You know, today when I read the newspapers, on page 5 of today's *Newsday* the hon. Minister Baksh said, "I ready to fight". He is ready to fight and he talks about, "I am against corruption". All I say is that we are against deception and we feel that with this particular bundle we need time to look at the proposed amendments in a more detailed way because, based on what was told to us last week, I wish to express my very strong concerns at the statements made by the hon. Leader of Government Business a few minutes ago because he said that—
[*Interruption*]

Mr. President: Let us not start that again.

Sen. N. Mohammed: Very well, thank you. But, Mr. President, the fact of the matter is that we came prepared to deal with certain other pieces of legislation and to come, two or three hours ago, to indicate and insist that they must go through with these regulations which are so very lengthy and which certainly require more detailed scrutiny, we have to take objection to that.

The other point is that this issue of the regulations pertaining to the Motor Vehicles and Road—[*Interruption*]

Sen. Mark: Could you give way?

Sen. N. Mohammed: Sure.

Sen. Mark: Mr. President, in light of the Opposition's strenuous objections to this simple matter that was tabled since October, I would like to suggest, seeing that she requested more time—we are not about to force anything down anybody's throat. We were hoping to at least pause today and come back during the first week in September. However, having regard to the Opposition's intervention and not wanting the records to reveal that we are forcing anything down the Opposition's or Independent Benches' throats, with your leave, Mr. President, and if we can get the agreement of the Opposition and the Independents, we will adjourn this Senate at this time. We will resume at 10.30 a.m. on Tuesday, at which time we will go through those regulations and complete the Tourism Bill in all its stages. I have no difficulty in doing so because we have no intentions of ramming or shoving anything down anybody's throat.

Sen. N. Mohammed: That is certainly what you did today. Start at 1.30 p.m.

Mr. President: Senator, before I put the question I do not think you have as yet made a formal proposal on the adjournment. Maybe in the interest of peace and goodwill the three of you might wish to have some quick discussions and then finalize the issue.

[*Off the record discussion held.*]

Mr. President: Hon. Senators, in order for further discussions to be held with a view to some consensus, I will suspend the sitting for 10 minutes. We will resume at 5.45 p.m.

5.34 p.m. : *Sitting suspended.*

5.48 p.m.: *Sitting resumed.*

The Minister of Public Administration (Sen. The Hon. Wade Mark): Mr. President, we have tried to arrive at a consensus but, unfortunately, the

Opposition is not in agreement with an approach that we have suggested, and with which the Independent Senators seem to agree. So we have decided to debate this Motion and take a vote at the end of the process, but we have not been able to get agreement from the Opposition.

Sen. N. Mohammed: Mr. President, I am a bit confused now because of the fact that we have taken a particular objection, and we have not arrived at an agreement. In those circumstances, it is the principle of going through these Regulations in a more detailed way, and if we are not being afforded the opportunity based on the fact that it is today they have come to railroad this, we would have no choice but to let the debate proceed as they have decided and see what happens.

Sen. Prof. John Spence: Mr. President, my understanding from the hon. Minister is that there were minor changes made in the House to the Bill which we passed in the Senate previously. One of the changes is to incorporate the Regulations within the Bill itself and he also informed me that there is another change which has taken place. I myself take the view that perhaps the Motion is flawed because I would have thought it should have specified all the changes that were made and particularized them and then we would vote on each item as we did with the Sawmills (Amdt.) Bill previously.

Nevertheless, I think it is important that we go forward with this process of getting the Regulations approved. I would ask the Minister for an assurance that if this Motion is passed, that subsequently any objection which may be raised may be brought back to the Senate by him for further discussion.

Thank you.

Mr. President: Are there any other contributions?

Sen. Rev. Daniel Teelucksingh: Mr. President, I know we spent a long time debating this Bill but I would like to ask some concrete questions on the number of testing stations we have in Trinidad and Tobago which we would have had set up already. I would like to hear from the hon. Minister how many testing stations we have. Has Government approved them? If not, when would this be done?

I remember we spent a long time discussing the age of the vehicles that are to be tested. I would like some clarification on that. We had new vehicles, five-year-old vehicles, foreign-used vehicles and so forth. This is one of the questions I would like to ask since we are debating this. Could you give us some clarification on the testing stations, and where they are located? Have we given

authorization to these stations? I remember some months ago some were published. Will there be a publication in the press for car owners?

Sen. Dr. Eastlyn Mc Kenzie: Mr. President, just yesterday on the news in Tobago there were comments about the readiness of Tobago in terms of testing stations and qualified people, and it was announced that members of staff from the division of transport had come to Tobago and inspected premises and only two qualified with suggestions for minor improvements. The problem was, they could not find certified people with the certification to be examiners. The people had the experience and I remember when we did the Bill, that was one of the concerns I expressed, that we did not have opportunities and training to qualify or certify experienced persons to take up the position of examiners and I remember asking the Minister to run some crash courses, because the people have the experience. I cited the case of my own mechanic who is an expert, he is excellent, he is bright, but the opportunities for certification did not exist in Tobago and still do not.

I am saying that we should get a commitment from the Minister that the people in Trinidad who have the expertise must run the crash courses in Tobago and certify the people within a deadline date. Do we have to bring the cars to Trinidad to test? What is the use having the two testing stations and nobody to test? Let us be realistic. Run a crash course, once the people could perform the task you have, they could read, write, and make up the forms, you can certify them. You are not asking them to make a car. I am sure if you check your licensing people, you will know they do not pull cars off the roads in Tobago as they do in Trinidad. They are roadworthy, we have excellent mechanics checking them, it is just that they have no certificate. There are no John Donaldson, or San Fernando Technical Institutions there.

Just by way of suggestion; fix up a curriculum, bring up your people, run a crash course, give the people certificates. If you want, you could have a ceremony and if you do it, I will give you the praise just like people who come and do what they are supposed to do.

Mr. President, that is my suggestion. I know we had really gone through the Bill and done some detailed work, and made some suggestions, let us see how it goes.

Thank you.

The Minister of Works and Transport (Sen. The Hon. Sadiq Baksh): Mr. President, I give the assurance to Prof. Spence that if we should find any changes

necessary that I will impart this to him. I can assure him that none of the changes made to these Regulations were made by Government, all the suggestions came from the Opposition and the Independent Benches in the Lower House, and they were all accepted and no changes have been made since then. As such, I have no problem with bringing back this procedural matter; I am very pleased with the response.

In response to Sen. Rev. Teelucksingh, we did not add any additional testing stations to the 44 that were approved since the last occasion when I spoke in this Senate. There were no additional ones, but we continued inspection to different premises and identification of improvements necessary, and actually gave the listing of all the testing equipment that will be required, but we did not want people to go into additional expenses in terms of outfitting these garages without the Regulations being passed and ready for implementation.

We have noted the urgency and are very pleased to be able to bring to the Parliament this particular piece of legislation to deal with private garages and I know that many people think it is a long time. It did take a long time to be completed and it is not yet completed, but as I mentioned in the Lower House, it really had its beginning in 1978 when the present Speaker of the House of Representatives was the Minister of Works and Transport. He actually started the initiative of private garages from that previous regime. In addition to that, also in 1978, he introduced the breathalyzer and a number of other important changes that we recognize even now, as absolutely necessary.

What I did was continue to build on all the previous ministers' work and I am very pleased to be able to culminate this activity today with the assurance that added to the 44 testing stations already stated with a good geographical spread throughout Trinidad, with the culmination of the exercise, we would be doing this week in Tobago certification or the final inspection of two premises with the view of many other garages being available for such certification in the future.

In terms of training, the Ministry of Works and Transport, together with CARIRI—and I have just spoken to the Minister of Energy and Energy Industries who indicated his willingness to be able to put together a curriculum to explore the possibilities for the National Energy Skills Company to assist as far as training for examiners in Tobago.

6.00 p.m.

I look forward to this measure easing some of the unsafe conditions, especially in motor vehicles. We just cannot continue to allow the carnage along

our roadways. We recognize that as the roads in Trinidad and Tobago become more driver-friendly, we see people taking additional risks.

On a daily basis, I take at least 10 minutes to observe the flow of traffic and see the kinds of chances people continue to take on a continuous basis. The private garages will not stop that; the private garages will ensure that if you apply brakes in time, vehicles will, in fact, stop. But, I find it extremely disheartening to see the way in which people drive now in Trinidad and Tobago.

Sometimes, I wonder if we are not contributing by improving the roads so much. I assure you that as the Minister of Works and Transport, I have the responsibility to improve all the roads in Trinidad and Tobago. We have just completed a little over 30 per cent of the entire road network. Our commitment is to continue to pave and repair all the roads in Trinidad and Tobago until we make it totally friendly.

We have completed the 30 bridges. We plan to do 10 more during 1999/2000 and I assure you that we will not stop until we have completely rebuilt and refurbished every bridge in Trinidad and Tobago.

Mr. President, with these few words, I beg to move.

Question put and agreed to.

Resolved:

That the Motor Vehicles and Road Traffic (Amdt.) Regulations, 1999 be now approved.

ADJOURNMENT

The Minister of Public Administration (Sen. The Hon. Wade Mark): Mr. President, before moving to adjourn this honourable Senate, may I take this opportunity to indicate that even though we are going on a brief respite, a limited period of time for some degree of resuscitation, we need to re-energize ourselves. It is not as long as we would have liked it to be, but Mr. President, we want to urge you and all fellow Senators to take the opportunity to rest and enjoy the limited period that we will be away from this honourable Chamber.

With these few words, I beg to move that this Senate do now adjourn to a date to be fixed.

Adjournment

Tuesday, August 10, 1999

Mr. President: Thank you for the sentiments conveyed, Mr. Minister. I also wish to express to all Members that they enjoy, at least, the short respite and I look forward to seeing you in the not too distant future here again.

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 6.05 p.m.