

*Leave of Absence**Tuesday, April 4, 2000***SENATE***Tuesday, April 04, 2000*

The Senate met at 10.32 a.m.

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

Mr. President: Hon. Members leave of absence from today's sitting has been granted to Sen. Joan Yuille-Williams. Leave of absence has also been granted to Sen. Philip Marshall for the period April 3—6, 2000 and to Sen. The Hon. Lindsay Gillette from April 4—9, 2000.

SENATORS' APPOINTMENT

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

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

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

\s\ Arthur N. R. Robinson
President.

TO: MRS. LAILA SULTAN-KHAN VALERE

WHEREAS Senator Philip A. F. Marshall 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, LAILA SULTAN-KHAN VALERE, to be temporarily a member of the Senate, and continuing during the absence from Trinidad and Tobago of the said Senator Philip A. F. Marshall.

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 3rd
day of April, 2000.”

Senators' Appointment
[MR. PRESIDENT]

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“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

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

\s\ Arthur N. R. Robinson
President.

TO: MR. VINCENT CABRERA

WHEREAS Senator Lindsay Gillette is incapable of performing his functions as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, ARTHUR N. R. ROBINSON, President as aforesaid, acting in accordance with the advice of the Prime Minister, in exercise of the power vested in me by section 44 of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, VINCENT CABRERA, to be temporarily a member of the Senate, with effect from 4th April, 2000 and continuing during the absence from Trinidad and Tobago of the said Senator Lindsay Gillette.

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 3rd day of April,
2000.”

**MISS BERYL MC BURNIE
(DEATH)**

Mr. President: Hon. Senators, on a sad note and yet another occasion this year, we mourn the death of one of our very prominent citizens. I, of course, refer to the late Beryl Mc Burnie, the doyenne of dance and choreography who passed away on Thursday March 30, 2000, and will be interred on Thursday April 6th.

The late Beryl Mc Burnie was well-known in Trinidad and Tobago for her work and was referred to, justifiably so, as “the First Lady of Dance. Because of her reputation in Trinidad and Tobago, she was required to work outside of the country and gained tremendously high recognition for her work both regionally and internationally.

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She was known by several sobriquets in Trinidad and Tobago. She received honours for her work, including the nation's highest award, the Trinity Cross and, in earlier times, was also honoured by the British Government with their OBE. We mourn her loss and offer condolences to her family and, of course, the performing arts fraternity. At the end of the tributes, the Clerk of the Senate will be asked to send appropriate letters of condolence to the bereaved family. Senators wishing to pay tribute may do so now.

The Minister of Public Administration (Sen. The Hon. Wade Mark): Mr. President, over the last two months this country has experienced the loss of three great heroes, ending with the passing of Sister Beryl Mc Burnie. On behalf of the Government Senators, I join with the rest of the Senate and Trinidad and Tobago in paying tribute to this Great Lady of Dance, who danced her way, virtually, into the hearts of so many of our citizens here as well as abroad.

While we feel saddened by her passing, we must recognize her work and what she sought to accomplish. Here was a woman who through her tireless pursuits managed to take this aspect of our culture to the highest level, gaining respect for the art-form, while commanding admiration and attention on both the local and international stages.

Mr. President, whenever we lose a great son or daughter of the soil, there always remains a gap to be filled. In the case of this Great Lady of Dance, the people of this country will have a difficult time finding a replacement to fill her shoes, for through her devotion to this aspect of our local culture, she has taught us a lot more than dance. The world was her stage and through her process she brought us together sharing a joy for dance, music and people.

It is never easy to lose someone we love and it is even more difficult to lose someone who has impacted on all our lives in such a meaningful way. Her vivacious and lively spirit will be ever present in the talking drums that she loved so dearly.

Mr. President, I think that it is fitting for this honourable Senate to pay special tribute to a woman who has touched the life of every Trinidadian and Tobagonian in so profound a way as to leave a permanent mark on us as a society. Her passion for dance was only surpassed by her love for music and for the people of this country.

Miss Beryl Mc Burnie had a profound love for teaching the young women of our society, posture and deportment, especially her female students whom she loved so dearly. Every school child was fond of her and whenever she visited a

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public place, everyone wanted to shake her hand. Her entire life was dedicated to teaching the art-form of dance. The very way in which she sauntered into a room caused everyone's attention to be riveted on her.

Like the late Aldwyn Roberts and Archbishop Anthony Pantin, Beryl Mc Burnie has left a legacy that can teach us and which provides us with a source of reference for the future. We would like to express our sympathy on her passing to the bereaved family and may her soul rest in peace.

Thank you.

Sen. Nafeesa Mohammed: Mr. President, yet again, our country's cultural landscape has lost another legendary figure, the First Lady of Dance Beryl Mc Burnie.

Since the 1940s, the late Beryl Mc Burnie has been in the national spotlight. She was a person who devoted her life, not only to the art of dance, but to other artistic pursuits, especially the steelband movement. In 1948 she founded the Little Carib Theatre and at the opening ceremony history was created in our country when, for the first time, a steelband performed on a stage.

On international stages, Beryl Mc Burnie danced under the name "La Belle Rosette". She was a person who gave integrity to our folk art-forms by bringing out the dances, songs and music. She inspired numerous dancers to develop their own groups but, most importantly, she was a cultural pioneer in Trinidad and Tobago who sacrificed her entire life for the development of the arts in this country.

It was our great leader and late Prime Minister, Dr. Eric Williams, who once described Beryl Mc Burnie as a vanguard and a tremendous example to womanhood. This statement was made in those days when women's liberation was unheard of.

We of the People's National Movement pay tribute to this great woman, and whilst we mourn this loss I am reminded of the comments made by another great woman in the arts, Dr. Molly Ahye, who said that whenever a legend passes into the spirit it is to be expected that it would inspire a new awakening. I feel that we have not lost her; her spirit will live on in the hearts of everybody.

On behalf of the Opposition People's National Movement and all the Senators on this side of the Chamber and, indeed, on behalf of the national community, I extend condolences to the bereaved family and we pray that almighty God will reward the late Beryl Mc Burnie for the many years of service and dedication to

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the arts and culture of our country. As it is often said, it is from God we came and to God is our eventual return.

Thank you.

Sen. Prof. John Spence: Mr. President, on behalf of the Independent Senators, I would like to express our condolences to the family of Miss Beryl Mc Burnie and also, of course, to the dance community and the performing arts community in Trinidad and Tobago.

A great deal has been said about Beryl Mc Burnie's contribution to the dance, but I think if one listens to the tributes that have been paid by people who knew her well, over the last few days, there were other characteristics which made her an outstanding role model, and there are so few of these in the present times that we really need to pay tribute to a person of that sort.

There are four characteristics that come through; one was her insistence upon quality. It has been suggested that she would even rather not perform, cancel a performance, if she thought that her performance was not going to be perfect. Her insistence on quality was extremely dear to her.

Her persistence: because over the years, as has been described by many persons paying tribute to her, she has had to do almost everything to get the dance in the Little Carib Theatre going. She would sell tickets herself, going from door to door when the support that she should have gotten was not forthcoming.

The third characteristic was her humility. Certainly, no one can doubt that Beryl Mc Burnie was a very humble person in spite of all her achievements and the accolades given to her.

10.45 a.m.

Finally, one of her former pupils has stated that she was a person who insisted on character-building. In other words, those who were close to her—young people—not only could imbibe from her the dance, but their character was built at the same time.

Mr. President, I think it is sad that we pay these tributes, and we have done so more frequently than perhaps we would have liked to over the last few weeks, but we do not seem to do anything material to live up to the tributes we are paying. We say that these people stood for certain things, but we do not measure up in trying to insist that what they stood for be carried forward.

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I think in this regard, it is incumbent for us to create a centre for the performing arts. This is a great mission in our society in Trinidad and Tobago. *[Desk thumping]* Over the years, we have had the resources to do it, but we have just not gotten around to doing it. I think, if we really want to pay tribute to Beryl Mc Burnie, we should first and foremost have a competition for the design of such a centre. That should be the first step, and this would have to be a Government step. After that, we should ensure the whole community contributed to the cost of building such a centre, not just the Government, the Government should match every private sector contribution, from little people as well as from business organizations. So it seems to me that we should stop talking and paying tribute and do something which is tangible and material to honour these persons and in this case, I would say this would be a great honour to Beryl Mc Burnie.

It may not be that we would want to call it after her name. If we do, that is good, but in any case, there should be a plaque in such a centre which pays tribute to her past performances.

Thank you, Mr. President.

OATH OF ALLEGIANCE

Sen. Laila Sultan-Khan Valere and Sen. Vincent Cabrera took and subscribed the Oath of Allegiance as required by law.

PAPERS LAID

1. The Community Service Regulations, 2000. *[The Minister of Public Administration (Sen. The Hon. W. Mark)]*
2. The Twelfth Annual Report of the Integrity Commission of the Republic of Trinidad and Tobago for the year ended, 1999. *(Sen. The Hon. W. Mark)*
3. Consolidated Financial Statements of the Trinidad and Tobago National Petroleum Marketing Company Limited and its subsidiaries as at March 31, 1999. *(Sen. The Hon. W. Mark)*
4. The Securities Industry (Amdt.) By-Laws, 2000. *(Sen. The Hon. W. Mark)*
5. 1999 Performance Review of the National Energy Skills Centre. *(Sen. The Hon. W. Mark)*
6. Erratum-Report of the Auditor General of the Republic of Trinidad and Tobago on the accounts of the Institute of Marine Affairs for the year ended December 31, 1998. *(Sen. The Hon. W. Mark)*

Papers Laid

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7. Report of the Auditor General of the Republic of Trinidad and Tobago on the accounts and financial statements of the Basic Education Project for the financial year ended September 30, 1999. (*Sen. The Hon. W. Mark*)

SUPREME COURT OF JUDICATURE (AMDT.) (NO. 2) BILL

Bill to amend the Supreme Court of Judicature Act, Chap. 4:01. [*The Attorney General and Minister of Legal Affairs*]; read the first time.

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

PETTY CIVIL COURTS (AMDT.) (NO. 2) BILL

Bill to amend the Petty Civil Courts Act, Chap. 4:21 [*The Attorney General and Minister of Legal Affairs*]; read the first time.

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

DEFENCE (AMDT.) BILL

Bill to amend the Defence Act, Chap. 14:01. [*The Minister of National Security*]; read the first time.

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

**TRINIDAD AND TOBAGO NATIONAL STEEL ORCHESTRA
(AMDT.) BILL**

Bill to amend the Trinidad and Tobago National Steel Orchestra Act (No. 19 of 1999) [*The Minister of Culture and Gender Affairs*]; read the first time.

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

Question put and agreed to.

ARRANGEMENT OF BUSINESS

The Minister of Public Administration (Sen. The Hon. Wade Mark): Mr. President, I seek leave of the Senate to deal with “Bills Second Reading” instead of Motions.

In this regard, we shall be proceeding with Bills Nos. 2, 3 and 4 on the Order Paper.

Agreed to.

REGISTRATION OF TITLES TO LAND (NO. 2) BILL

[Second Day]

Order read for resuming adjourned debate on question [March 21, 2000]:

That the Bill be now read a second time.

Question again proposed.

Mr. President: The Hon. Attorney General and Minister of Legal Affairs had begun his reply and had spoken for nine minutes and has a balance of 36 minutes, plus 15 minutes extension.

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. President, on the last occasion, I had indicated to this honourable Senate that in light of the amendments which were proposed, and having regard to the importance of these measures, I would meet sometime to look into the proposed amendments so that we could have considered whether the Government would have been able to accept some of the proposals.

I am happy to announce that I spent some time with our technical persons looking at the proposed amendments and in substance, we have agreed with most of them and I have given instructions to have the necessary draft amendments prepared which would be circulated at the committee stage of the proceedings.

I also indicated that I would have wanted to study some of the comments which were made by hon. Senators and on the last occasion I gave some indication of what was happening at the Registry Department. I will spend a few minutes responding to some of the concerns raised by the Senators, and I think it was recognized by the Opposition that this exercise is a monumental task and it was felt that since it was monumental, there may be difficulties in implementation.

As I indicated on the last occasion, whilst these Bills were being drafted and the pre-legislative stages were being conducted, there have been decisions for administrative reform within the Land Registry Department and I indicated on the last occasion the automation which was being done, and I gave statistics to show that with respect to the deeds and birth certificates what was happening. What I would like to indicate today, is, that process is continuing and since I assumed the responsibility of that department, I have been having weekly meetings with the persons involved. I have actually visited the areas where this work is being done and I have been very impressed with what has been happening and with the

automation process which is in full gear and expected, by August, to be fully automated.

The question has been raised and many comments have been made about this vault by Sen. Mohammed and she called for an answer from the Government because it has been felt that this vault may not be available. She also discussed the state of affairs at the search room, and one has to concede that the environment in which the staff work is not the best, but this is a situation which, I am sure, she would agree did not come overnight, it has accumulated over the years and this administration has taken steps and attempted to alleviate some of the problems, and that is why we have had individual air-conditioning units, and have improved the security.

As a matter of fact, one would have seen recently, based on what reports were made to the police, that they have gone into the Registry Department and have been able to make some headway with respect to matters which are still pending, therefore, I do not want to go into them. But there have been improvements on the basis that the facilities there are temporary and staff would have to be moved out and, as you know, the Company Registry was moved out. It is now located at the Huggins Building.

11.00 a.m.

The Intellectual Property Office is at the Huggins Building, and the remaining parts of the Registry would be moved out to the Huggins Building, but they cannot move without the vault being constructed. The vault is being constructed. As a matter of fact, Cabinet decided on the construction of the vault and the sod was turned to start the construction of the vault. Construction started, and then there were questions as to whether it should not be re-designed.

There were questions as to whether there should be a one-storey vault or a two-storey vault—matters like that. It has been decided that the construction would continue. So that whatever fears the hon. Senator and the Members of the Opposition have, about the non-construction of the vault, I want to give the assurance that the vault is being constructed. As a matter of fact, only yesterday I visited the site and work was in progress, and in about 10 weeks' time the vault would be made available. *[Interruption]*

Sen. Mohammed: Mr. President, I want to thank the hon. Attorney General for giving way. One of the concerns that had been expressed in relation to the construction of the vault, was that in the event of the need for expansion, whether the space would have been readily available for expansion of that vault, in light of

the rumours about that particular building being constructed nearby, and the encroachment taking up public space there.

Quite apart from that Mr. President, when the Attorney General spoke just now, about the conditions in the search room, apart from the physical conditions that the search clerks have to operate in, one of the major concerns has been the condition of the books. Whilst the automation process is taking place, we would like to know what interim measures are being put in place in order to ensure that there is easier or quicker access to the information contained in the deeds and so on, when a search clerk has to do a search. If he happens to be searching the 1991 books, for example, and they are down at the place on Henry Street where that process is taking place, what measures do you have in place to ensure that there will be that kind of access to ensure that searches take place expeditiously?

Hon. R. L. Maharaj: The hon. Senator is just repeating what she said in her contribution and I was about to respond to that in any event. What I am saying is in respect—and the hon. Senator did express concern about the space adjoining the building—of whether it could be available for possible expansion and even for the car parking facilities for the staff. I do not know where all this information has come from, but I think I should clear this. *[Interruption]* I do not know where it has come from. *[Laughter]*

Sen. Mohammed: In the public domain.

Hon. R. L. Maharaj: Mr. President, the hon. Senator used the right word “rumour.” The vault is being constructed, the state owns the land adjacent to the building, and the lands have not been sold or given in any way to anybody, any private person. There is a proposal for a private development but all the facts *et cetera* have not been considered by Cabinet. So the present status of it is that the Huggins Building is there, the vault would be constructed adjacent to it, and there would be state lands available for the use of the state in relation to the vault.

Sen. Mohammed: Mr. President, would there be car park facilities for users of the registries that are being housed down there, apart from the staff and so on?

Hon. R. L. Maharaj: Yes, obviously, if you are having a vault there and the public have to come, there would have to be space available in order for the public to use it. So I would like the hon. Senator to erase those fears from her mind and do not believe in rumours.

Mr. President, the rumours even came in the contribution that there were cuffs, assaults and all sorts of things implying that even the Attorney General

could have been the subject of these assaults. I want to give the hon. Senator the assurance that nobody has been cuffed; nobody has been kicked; nobody has been assaulted; and that those are pure rumours. *[Interruption]*

Sen. Mohammed: Was anyone threatened? *[Laughter]*

Hon. R. L. Maharaj: Mr. President, right now I am being threatened. *[Laughter]*

In respect of the books *et cetera*, in the search room. Yes, there has been a problem, but I have seen for myself that some of these books have been rebound, they are available and in the interim I have been assured that the situation has been improved, but I am not taking away from the fact that the conditions are not acceptable. Therefore, the quicker the vault is constructed and the department is relocated it would be better, because the fact that they are there, it would keep back some of the automation which has to be done.

I want to say, Mr. President, that it was this administration which made the decision that the Red House was to be used exclusively for the Parliament, and that the Land and Civil Registry had to be relocated and it was this administration which decided that enough was enough in relation to the conditions in the search room. Because almost every year we used to have the search clerks striking and so forth, but we have not been seeing that. That is also an indication that the problems have been alleviated in some measure.

I take the point—I want to be very fair to the Opposition—that it is still not acceptable and we are hoping that in a short space of time those matters would be resolved. I have been told that within the next 10 or 12 weeks we should be able to move out from the Red House. Therefore, that would also facilitate the automative process which has been going on. So there is some light at the end of the tunnel.

Mr. President, one of the matters that Sen. Dr. McKenzie raised—I will probably deal with any other matter during the committee stage—which was very important, and, that is, there is a problem, in that, many people do not know what the law is, what their rights are, and how to achieve some of the objectives contained in legislation which is passed. That is a problem.

What has happened over the years is that Government has not placed any emphasis in that area. Ministries responsible for law and justice in some countries have to conduct what is called public legal education programmes. This is a norm now in Canada, England and other countries. So what has to happen is that there must be an obligation on appropriate ministries to conduct some form of public awareness programme, to inform and educate the public as to what the new

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measures are. Quite apart from judicial education—because even the judges and the magistrates have to be informed and be aware—but I think it is very important for the public to know. I think the hon. Senator referred to one of the booklets she had, in respect of a particular matter from the Ministry of Housing and Settlements—which is a very good thing. Because what is happening now is that the trend is to have little booklets to inform the public as to what are the steps one has to take and what are the benefits of major pieces of legislation.

This is something which would have to be an incremental process, but we would have to start somewhere. Mr. President, I take the point of the hon. Senator that there must be a start. I agree that in legislation like this, when the time comes there ought to be some form of booklet so that people would know what each one does and how it is they would have the maximum benefit in respect of the contents of the legislation.

11.10 a.m.

May I say, Mr. President, that right now the Ministry of the Attorney General is trying to work with some of the non-governmental organizations to come up with some form of public awareness programme in relation to some of the issues. We decided that to do that we would work with the communities, instead of just going as a Ministry from area to area, and deal with certain issues which the public would want to hear about. We would also pick out certain issues on which one would talk, and print booklets and handouts to give to the people.

So, Mr. President, I think I have dealt in substance with some of the concerns and, if I have not dealt with them, and there are specific questions about any matter, I undertake that at the committee stage I would deal with them. I therefore beg to move that a Bill to provide for a register of land titles, and to provide for the registration of estates and interests in land, be now read a second time.

Question put and agreed to.

Bill accordingly read the second time.

Bill committed to a committee of the whole Senate.

Senate in committee.

Mr. Chairman: Hon. Members, may I state that, because of the large number of proposed amendments, we will do this Bill, though very large, clause by clause.

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

Clause 3.

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

Mr. Chairman: There is a proposed amendment by the Attorney General.

Mr. Maharaj: Mr. Chairman, may I just say that there are two lists; one is on the list of amendments and the other is on the supplemental list, so that Members would know. I am on the original list, the one dated March 21, 2000.

I beg to move that clause 3 of the Bill be amended in terms of the circulated draft as follows:

“Delete in the definition of ‘Assurance Funds’ the words ‘section 66’ and substitute the words, ‘section 65’.”

This was purely a typographical error.

Question put and agreed to.

Clause 3, as amended, ordered to stand part of the Bill.

Sen. Daly: May I just ask a question? I believe this was mentioned by the Attorney General, but by reference to the Condominiums Act on page 16, I take it that you are going to pass an amended version of the Condominiums Act before this comes into effect?

Mr. Maharaj: Yes. Right now we are actually working on it. The intention is that, before these Bills come into effect, we would have passed the Condominiums Bill.

Sen. Daly: Thank you, Mr. Chairman.

Clauses 4 and 5 ordered to stand part of the Bill.

Clause 6.

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

Mr. Chairman: There is a proposed amendment by the hon. Attorney General.

Mr. Maharaj: Mr. Chairman, I beg to move that clause 6 of the Bill be amended in terms of the circulated draft as follows:

“6 Delete and substitute the following:

‘Qualifications for certain appointments	6.(1) No person shall be appointed as a Registrar unless he is an Attorney-at-law of at least seven years’ experience in Land Law.
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- (2) No person shall be appointed as a Deputy Registrar unless he is an Attorney-at-law of at least five years' experience in Land Law.
- (3) No person shall be appointed as an Assistant Registrar unless he is an Attorney-at-Law'."

We have changed the qualifications. I think there were some concerns.

Sen. Daly: May I ask a question? We have a list of amendments made by the House of Representatives on Monday, November 15, 1999 where, apparently, that amendment was made in the other place. Do we not have to pick up those amendments as we go along?

Mr. Maharaj: It is as if the Bill has already been amended there.

Sen. Daly: Oh, I see. You read it as including these changes?

Mr. Chairman: Yes, as part of the Bill before us.

Mr. Maharaj: Yes. But since this was already taken there, we should not do it again.

Sen. Daly: So that I get this procedurally clear, we skipped out 3 and 5 as amended in the other place because those are already part of the Bill?

Mr. Maharaj: Yes.

Sen. Daly: In this one we are, in fact, duplicating what they did already?

Mr. Chairman: No, no, no. Clause 6 at the other place, which is now part of the Bill, deals with seven years' experience in land law.

Sen. Daly: Oh, I see.

Mr. Chairman: The proposed amendment deletes and includes.

Mr. Maharaj: What has happened, Mr. Chairman, is that there is a different requirement for the Registrar and the Deputy. In the case of the Registrar it is seven years and in the case of the Deputy it is five years.

Sen. Daly: But we are not going with the words, "experience in land law", is that it?

Mr. Maharaj: We are going with the words, "of at least five years experience in Land Law".

Sen. Daly: Oh, I see.

Mr. Maharaj: The argument has been that you might be putting people in that department, not necessarily attorneys-at-law but people who have the experience in land law. Actually, I think that came in the other place from—as opposed to just conveyancing.

Sen. Daly: What are we doing in your clause 6(1) that is different from what the other place did?

Mr. Maharaj: We are amending that clause 6(1) in the other place to read as we now have over here. That clause 6(1) will read:

“No person shall be appointed as a Registrar unless he is an Attorney-at-Law of at least seven years’ experience in Land Law.”

Sen. Daly: Because we are breaking it down into categories?

Mr. Maharaj: Into categories, yes.

Sen. Daly: Thank you, Mr. Chairman.

Mr. Chairman: Any other contributions?

Clause 6, as amended, ordered to stand part of the Bill.

Clause 7 ordered to stand part of the Bill.

Clause 8.

Sen. Daly: Can I just ask a question, Mr. Chairman? This official seal, is there going to be one only of that seal? When we talk about an official seal, does this mean that there will be one seal that has to be applied to—*[Interruption]*

Mr. Maharaj: I am told that there will be one official seal. There will be a duplicate in San Fernando, Tobago and other places, but there will be one official seal.

Sen. Daly: I assume administratively that seal will be in the custody of the—*[Interruption]*

Mr. Maharaj: —Registrar or the person who is in charge.

Sen. Daly: —or the person in charge. So they are accountable for it every day. So if it goes missing or appears on documents it should not—

Mr. Maharaj: I understand the present practice is that it is in the custody of the Registrar, Deputy Registrar and Assistant Registrar and that individual is responsible on a daily basis. So the same practice would continue, but obviously

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with this extra decentralization there would have to be greater administrative efforts to ensure that it does not go—

Sen. Daly: Thank you, Attorney General.

Clause 8 ordered to stand part of the Bill.

Clauses 9 to 11 ordered to stand part of the Bill.

Clause 12.

Question proposed, That clause 12 stand part of the Bill.

Sen. Daly: This seal there, is it the official seal we are talking about, the same seal? In clause 12, is that the official seal we are talking about? If it is, should we not say, “under the official seal”?

Mr. Maharaj: Is that not the same seal?

Sen. Daly: I do not know. I am just asking.

Mr. Maharaj: It will have to be the same official seal.

Sen. Daly: Should we not say, “under the official seal”, if that is what it is? I am really concerned about documents turning up with—

Mr. Maharaj: Well we could do it one of two ways. It may be that we could put in the definition section, “Seal means official seal” and, therefore, wherever seal appears in the Bill it refers to the official seal. What we could do is, if we go with this we will go back just before we end the committee stage and define it. That is the better way.

Sen. Daly: Thank you.

Mr. Maharaj: I wish to give you the assurance, I have had no experience in drafting laws, so I am—[*Interruption*]

Sen. Daly: Well, You know, on this occasion I am riding on someone else’s strength as well.

Mr. Maharaj: Yes.

Clause 12 ordered to stand part of the Bill.

11.25 a.m.

Clauses 13 to 19 ordered to stand part of the Bill.

Clause 20.

Question proposed. That clause 20 stand part of the Bill.

Mr. Chairman: There is a proposed amendment by the Hon. Attorney General.

Mr. Maharaj: Mr. Chairman, I wish to amend clause 20 as follows:

“Insert the following words at the end of the clause ‘or any Act which may repeal and replace it.’”

Mr. Chairman, this is really to put at the end of the clause “or any Act which may repeal and replace it” because the Condominiums Act of 1981—although attempts are being made to try to save it by amending it—it may be that we may have to repeal it and replace it; so this is just to cover that situation.

Mr. Chairman: Any other contributions?

Question put and agreed to.

Clause 20, as amended, ordered to stand part of the Bill.

Clauses 21 to 23 ordered to stand part of the Bill.

Clause 24.

Question proposed, That clause 24 stand part of the Bill.

Mr. Chairman: There is a proposed amendment by the Hon. Attorney General.

Mr. Maharaj: Mr. Chairman, I wish to amend clause 24 as follows:

“Delete in subsection (2) all the words after the word ‘issue’ and substitute the words ‘of such certificate’.”

I have been advised that all those words that I want to delete are really not necessary. Am I correct?

Sen. Alfred: Repeat please.

Mr. Chairman: I think the Senator wants you to repeat.

Mr. Maharaj: Yes, “delete in subsection (2) all the words after the word ‘issue’ and substitute the words ‘of such certificate’ so that it should read:

“A certificate issued under this section shall be evidence of the matters shown therein as at the date of issue of such certificate.”

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Okay? It should read “as at the date of issue of such certificate” instead of having “and the land or lease shall be subject to all entries in the folio made thereafter.”

Sen. Dr. Mc Kenzie: Mr. Chairman, my problem was that I did not see a subclause (2), so I began at subclause (1) and found that it did not make any sense, so that was my query but I now understand.

Mr. Maharaj: Okay?

Question put and agreed to.

Clause 24, as amended, ordered to stand part of the Bill.

Clause 25.

Question proposed, That clause 25 stand part of the Bill.

Mr. Chairman: There is a proposed amendment on the supplemental list of amendments.

Mr. Maharaj: Mr. Chairman, I wish to amend clause 25 as follows:

“Insert in paragraph (a) after the word ‘number’ the words ‘and property address’”.

Mr. Chairman, the supplemental list takes into account some of the proposals made by—I think all of the proposals—Sen. Daly. So clause 25 is to be amended to “insert in paragraph (a) after the word ‘number’ the words ‘and property address’ because the thrust of the proposal was that the property address should be included in the adjudication.

Mr. Chairman: Any further contributions?

Question put and agreed to.

Clause 25, as amended, ordered to stand part of the Bill.

Clauses 26 to 27 ordered to stand part of the Bill.

Mr. Chairman: Just hold. *[Interruption]* A chap there is using his telephone. Please, no use of telephones in the Chamber.

Clause 28.

Question proposed, That clause 28 stand part of the Bill.

Mr. Chairman: There is a proposed amendment by the Hon. Attorney General.

Mr. Maharaj: Mr. Chairman, I wish to amend clause 28 as follows:

- “A. Renumber subsection (3) as subsection (4).
- B. Insert the following after subsection (2):
 - ‘(3) Where the Registrar rejects an instrument or document and gives notice of rejection under subsection (2), the instrument or document may be resubmitted with the necessary amendment.’”

Mr. Chairman, this also takes into account the proposed amendment that Sen. Daly had circulated and it would be renumbering subsection (3) as subsection (4) and inserting a new subsection (3) which reads:

“Where the Registrar rejects an instrument or document and gives notice of rejection under subsection (2), the instrument or document may be resubmitted with the necessary amendment.”

Because it was not stated in the Bill what happens when a document is rejected and, therefore, the intention is that if it is rejected, there can be resubmission of the document.

Question put and agreed to.

Clause 28, as amended, ordered to stand part of the Bill.

Clause 29 ordered to stand part of the Bill.

Clause 30.

Question proposed, That clause 30 stand part of the Bill.

Mr. Chairman: There is a proposed amendment by the Hon. Attorney General.

Mr. Maharaj: Mr. Chairman, I wish to amend clause 30 as follows:

- “A. Delete the words ‘Subject to section 33 where any instrument that has been lodged and registered in good faith’ and substitute the words ‘Where any instrument that has been lodged and registered’.
- B. Insert in paragraph (a) the word “or” after the words ‘defects;’.
- C. Delete in paragraph (b) the word ‘or’.
- D. Delete paragraph (c).”

Mr. Chairman, this again is an amendment which has been favoured as a result of Sen. Daly’s proposals, and clause 30 is to be amended in order to remove really an inconsistency which appears between clause 30 and clause 33. So clause 30 is being amended to “delete the words ‘Subject to section 33 where any

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instrument that has been lodged and registered in good faith' and substitute the words 'Where any instrument that has been lodged and registered'" and then "in paragraph (a) the word 'or' after the word 'defects;'" and the rest speak for themselves. I do not know if Sen. Daly wants to say that satisfies him.

Sen. Daly: Mr. Chairman, as I indicated, I am also relying on the strength of the conveyancing person but I am satisfied and I believe that person will also be satisfied. *[Laughter]*

Mr. Maharaj: Well I think both Sen. Daly and the Attorney General are in the same position this morning. *[Laughter]*

Sen. Daly: I think our respective conveyancers have spoken anyway. *[Laughter]*

Question put and agreed to.

Clause 30, as amended, ordered to stand part of the Bill.

Clause 31.

Question proposed, That clause 31 stand part of the Bill.

Mr. Chairman: There is a proposed amendment by the Hon. Attorney General.

Mr. Maharaj: Mr. Chairman, I wish to amend clause 31 as follows:

"A Delete subclause (1) and substitute the following:

'Rectification of error or omission	(1)	Where an error or omission is in the opinion of the Register clerical or administrative in nature he shall make such amendment or alteration to the folio of the Register as is necessary.'
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B. Delete in subclause (2) the words 'any order of the Court or Tribunal,' and substitute the words 'subsection (1),"

Mr. Chairman, this again is in pursuance of the same point that Sen. Daly had made and is really consequential to that amendment, and I beg to move that clause 31 be amended in terms of the circulated draft. It really says:

"Where an error or omission is in the opinion of the Registrar clerical or administrative in nature he shall make such amendment or alteration to the folio of the Register as is necessary."

Mr. Chairman: There is a "B" outside it.

Mr. Maharaj: And “B. Delete in subclause (2) the words ‘any order of the Court or Tribunal,’ and substitute the words ‘subsection (1),’ which makes subsection (2) consistent with subsection (1).

Question put and agreed to.

Clause 31, as amended, ordered to stand part of the Bill.

11.35 a.m.

Clause 32.

Question proposed, That clause 32 stand part of the Bill.

Sen. Daly: Mr. Chairman, may I ask a question? What I do not understand, is this like in the Magistrates’ Court where you ask the magistrate to state a case and a point arises on any contribution, so it is automatic. Is it like that?

Mr. Maharaj: I think so.

Sen. Daly: Once you ask him, he must send it and then it goes, providing you put up the amount for cost.

Mr. Maharaj: Under clause 32, you are talking about.

Sen. Daly: Yes. Clause 32(1) is, he must do it, once you ask him.

Mr. Maharaj: Yes.

Sen. Daly: He does not have a discretion.

Mr. Maharaj: He has no discretion.

Sen. Daly: My question is, under clause 32(2), is this drafted sufficiently widely—that is my point for a change—that the deposit does not have to be money, that you can have a bond, like when you put up security for costs? Is this drafted widely enough?

Mr. Maharaj: You mean where “sum” is used—

Sen. Daly: Instead of cash. Like security for costs in litigation. Is this wide enough to cover that?

Mr. Maharaj: If I may speak off the cuff, I do not think so.

Sen. Daly: It does not seem so to me either. What I am suggesting respectfully, Mr. Chairman, is that it should be redrafted in a manner similar to the provisions for security for costs if it does not cover it. I would not like to think that somebody must put up cash—

Mr. Maharaj: You are correct.

Sen. Daly:—if they can get a bond.

Mr. Maharaj: Could I request that we defer this and come back to it so that they can make the necessary draft?

Assent indicated.

Sen. Daly: My next question is: What about if there is a dispute about the cost figure; let us suppose the Registrar requires security for costs that is—well, I do not use the word “oppressive” pejoratively. Is there any way in which one can challenge the Registrar in view of what are sufficient costs? Otherwise, he could stymie you there and then.

Mr. Maharaj: I am told that there is a proposed amendment when we come to clause 32 that:

“An aggrieved party may appeal to the Tribunal from the decision of the Registrar as to the quantum of the sum to be deposited under section 2.”

But, we will have to change that to mean “as to the order for security used”.

Sen. Daly: Is that on the circulated list of amendments, that appeal?

Mr. Maharaj: No. I am told it is not on the printed document, but the Chief Parliamentary Counsel indicated that to me. She has it written here.

Sen. Daly: Apparently, it is in the House.

Mr. Chairman: It is in the list of amendments made in the House which was circulated.

Mr. Maharaj: Sorry. It was done in the Lower House.

Sen. Daly: I am much obliged. Sen. Dr. St. Cyr pointed that out. So if we could just redraft “sum”.

Mr. Maharaj: Yes.

Sen. Daly: Thank you, Mr. Chairman.

Mr. Maharaj: Mr. Chairman, can we then ask you to defer this for a little while, while we do a draft to make it wider?

Mr. Chairman: Is that agreed, Members?

Assent indicated.

Clause 32 deferred.

Clause 33.

Question proposed, That clause 33 stand part of the Bill.

Mr. Chairman: There is a proposed amendment by the Attorney General.

Mr. Maharaj: Mr. Chairman, I propose that clause 33 be amended in terms of the circulated draft as follows:

Delete and substitute the following:

“Where an instrument that has been registered is alleged to have been obtained fraudulently the Registrar shall on the application of a party to such an instrument or on the application of any person who satisfies the Registrar of his interest in the land enter a caveat and where the Registrar enters a caveat, the provisions of sections 74, 75, 76, 77 and 78 shall apply with such modifications as are necessary.”

This, again, is as a result of the representation made by Sen. Daly in his draft. Clauses 75 and 76 deal with the question of lodging caveats, withdrawal and removal of caveats.

So, I beg to move that clause 33 be amended in terms of the circulated draft.

Question put and agreed to.

Clause 33, as amended, ordered to stand part of the Bill.

Clauses 34 to 40 ordered to stand part of the Bill.

Clause 41.

Question proposed, That clause 41 stand part of the Bill.

Mr. Chairman: There is a proposed amendment by the Attorney General.

Mr. Maharaj: Mr. Chairman, I move that clause 41 be amended in terms of the circulated drafts as follows:

Delete the words “a justice of peace,”.

A. Delete in subclause (1)—

- (i) the words “functionary. The” and substitute the words “functionary but”;
- (ii) the word “must” wherever this word occurs and substitute the word “shall”.

- B. Delete in subsection (2) the word “must” wherever this word occurs and substitute the word “shall”.
- C. Delete in subsection (3) the word “may” and substitute the word “shall”.
- D. Delete in subclause (7) the words “Registration of Deeds Act,” and substitute the words “Registration of Deeds Act or any amendments thereof”.
- E. Renumber subclause (9) as subclause (10) and insert after subclause (8) the following:

“(9) Where an instrument presented to the Registrar is in a language other than the English Language that instrument shall be presented together with a translation into the English Language certified by a sworn translator.”

I like the expression which the Chief Parliamentary Counsel has used—this is purely housekeeping matters to tidy up what was there. But, I think the more significant one was to subclause (9):

“Where an instrument presented to the Registrar is in a language other than the English Language that instrument shall be presented together with a translation into the English Language certified by a sworn translator.”

In other words, what was taken out was like the word “must” which should be “shall” really, because that is the normal word used, and other little matters which, I understand, would bring it into line with acceptable drafting standards.

Question put and agreed to.

Clause 41, as amended, ordered to stand part of the Bill.

Clause 42.

Question proposed, That clause 42 stand part of the Bill.

Mr. Chairman: Proposed amendment by the Attorney General

Mr. Maharaj: Mr. Chairman, the amendment to clause 42 says:

Delete and substitute the following:

- | | |
|----------------|---|
| “Stamp
Duty | 42. Notwithstanding any other written law, the fees payable under this Act shall be paid to the Registrar in such manner as |
|----------------|---|

may be prescribed and the Registrar shall issue a receipt for the payment.”

This deals with the whole question of not necessarily being stamps. I think this point was raised in the debate and, obviously, there would have to be methods found in having transactions dealt with other than by stamps. So, this is to facilitate such a measure.

I beg to move that clause 42 be amended in terms of the circulated draft.

Question put and agreed to.

Clause 42, as amended, ordered to stand part of the Bill.

Clauses 43 to 49 ordered to stand part of the Bill.

Mr. Chairman: Hon. Members, we have Part V, clauses 50 to 60, in which there are no proposed amendments, unless any Member has any proposed amendment to any of the clauses. I believe, in the interest of time, we can do those clauses as Part V.

Assent indicated.

Clauses 50 to 60 ordered to stand part of the Bill.

Mr. Chairman: Similar position with respect to Part VI, clauses 61 to 64. Shall we do those as one Part again, Attorney General?

Assent indicated.

Clauses 61 to 65 ordered to stand part of the Bill.

Clause 66.

Question proposed, That clause 66 stand part of the Bill.

Mr. Chairman: There is a proposed amendment by the Attorney General.

Mr. Maharaj: Mr. Chairman, I propose to amend clause 66 as follows:

- A. Delete in subclause (2) the words “offer made by” and substitute the words “decision of”.
- B. Insert after subclause (6) the following:
 - “(7) A person aggrieved by the decision of the Tribunal under subsection (1) may appeal to the Court of Appeal.”

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So, clause 66 is amended in subclause (2) to make it clear it is a decision and not an offer and to insert after subclause (6):

“A person aggrieved by the decision...may appeal to the Court of Appeal.”

Question put and agreed to.

Clause 66, as amended, ordered to stand part of the Bill.

11.50 a.m.

Clause 67.

Question proposed, That clause 67 stand part of the Bill.

Mr. Maharaj: Mr. Chairman, I beg to move that clause 67 be amended as follows:

“Delete the words ‘section 67(1)’ and substitute the words ‘section 66(1).’ ”

It is purely the numbering.

Question put and agreed to.

Clause 67, as amended, ordered to stand part of the Bill.

Clause 68.

Question proposed, that clause 68 stand part of the Bill.

Mr. Maharaj: Mr. Chairman, I beg to move that clause 68 be amended as follows:

“Delete the words ‘section 67’ and substitute the words ‘section 66.’ ”

This is consequential renumbering.

Question put and agreed to.

Clause 68, as amended, ordered to stand part of the Bill.

Clauses 69 to 83 ordered to stand part of the Bill.

Clause 3 reintroduced.

Mr. Maharaj: Mr. Chairman, I beg to move that clause 3 be amended as follows:

“After the definition of “restriction” on page 16 of the Bill, insert a new definition “seal” means the official seal of the Land Registry of Trinidad and Tobago.”

Question put and agreed to.

Clause 3, as amended, ordered to stand part of the Bill.

Clause 32 reintroduced.

Mr. Maharaj: Mr. Chairman, I beg to move that clause 32 be amended as follows:

“After the word ‘sum’ insert “or such security.”

Also in the new subclause (3), if you look at the House amendments

“After the word ‘sum’, “or such security’ ”

It reads:

“An aggrieved party may appeal to the Tribunal from the decision of the Registrar as to the quantum of the sum or such security.”

Question put and agreed to.

Clause 32, as amended, ordered to stand part of the Bill.

12.00 noon

New Clause 84.

Question proposed.

Mr. Maharaj: Mr. Chairman, I propose a new clause 84 which reads as follows:

“The following is inserted after clause 83:

“Repeal of Act No.24 of 1981 84. The Land Registration Act 1981 is hereby repealed.’.”

New clause 84 read the first time.

Question proposed, That the new clause be read a second time.

Question put and agreed to.

Question proposed, That the new clause be added to the Bill.

Question put and agreed to.

New clause 84 added to the Bill.

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

Senate resumed.

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

LAND ADJUDICATION (NO. 2) BILL

[Second Day]

Order read for resuming adjourned debate on question [March 21, 2000]:

That the Bill be now read a second time.

Question again proposed.

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 ordered to stand part of the Bill.

Clause 2.

Question proposed, That clause 2 stand part of the Bill.

Mr. Maharaj: Mr. Chairman, I beg to move that clause 2 be amended as follows:

“Delete the definition of ‘adjudication area’ and substitute the following:
“adjudication area means an area declared by the Minister to be an adjudication area under section 3.”

It is really improving on the definition that we have here. It is not fundamental, but it is just to make it clear.

Question put and agreed to.

Clause 2, as amended, ordered to stand part of the Bill.

Clause 3 ordered to stand part of the Bill.

Clause 4.

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

Mr. Maharaj: I beg to move that clause 4 be amended as follows:

“Delete and substitute the following clause:

‘Appointment and
general powers of
certain officers

4. (1) There shall be an Adjudication Officer who shall be an attorney-at-law of at least seven years experience in conveyancing and who shall be appointed by the Judicial and Legal Service Commission.
- (2) The terms and conditions of service of the Adjudication Officer shall be prescribed in accordance with section 141 of the Constitution.
- (3) The President shall appoint such Assistant Adjudication Officers, Demarcation Officers and Recording Officers as may be necessary for the purposes of this Act.
- (4) Subject to subsection (9) the terms and conditions of service as well as the qualifications for the appointment of the Assistant Adjudication Officers, Demarcation Officers, Recording Officers and Survey Officers shall be prescribed by the President.
- (5) The Adjudication Officer shall be in charge of the adjudication process and may issue such general or special direction as he thinks necessary to the Assistant Adjudication Officers, Demarcation Officers, Recording Officers and Survey Officers, or may himself perform and exercise all or any of the duties and powers of the officers mentioned above.
- (6) The Adjudication Officer shall be competent to administer oaths and take affidavits in any inquiry undertaken by him, and to issue notices or orders requiring the attendance of such persons or the production of such documents as he may consider necessary for carrying out the adjudication.

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- (7) A notice or order issued under subsection (4) shall have the same force and effect and be served in the same manner as a summons issued under the Summary Courts Act.
- (8) A Demarcation Officer or a Survey Officer may at any reasonable time enter upon any land within the Adjudication area for the purpose of demarcating or surveying any parcel therein and may summon any person who can give information regarding the boundaries of such parcel or to point out the boundaries.
- (9) A Demarcation Officer and a Survey Officer shall be a Trinidad and Tobago Land Surveyor within the meaning assigned to it under the land Surveyors Act.’.”

This is really to make sure that it includes also surveyors.

Sen. Mohammed: What about the amendments from November 15?

Mr. Maharaj: Proposed by?

Sen. Mohammed: Those that came from—[*Interruption*]

Mr. Chairman: No, we are dealing with March 21 and April 4. [*Crosstalk*]

Mr. Maharaj: I also propose that in the amendment of April 4:

“Delete in subclause (1) the words “seven years” and substitute the words “ten years’.” [*Crosstalk*]

This is to take into consideration Sen. Daly’s amendments. [*Interruption*] I propose that clause 4 be amended in terms of the amendments circulated dated March 21, 2000 and April 4, 2000.

Question put and agreed to.

Clause 4, as amended, ordered to stand part of the Bill.

Clause 5 ordered to stand part of the Bill.

Clause 6.

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

Mr. Maharaj: Mr. Chairman, I beg to move that clause 6 be amended as follows:

- “A. Insert in subclause (1)(d) after the word ‘claimed’ the words ‘and the property address’.
- B. Delete in subclause (3) the words ‘may, if he considers it advisable to do so,’ and substitute the words ‘and shall’.
- C. Insert in subclause (4)(a) after the word ‘published’ the words ‘in a daily newspaper at least twice and’.”

This is also to take into account the amendment proposed by Sen. Daly to include the property address and also to increase the circulation of adjudication.

Sen. Dr. Mc Kenzie: Mr. Chairman, in clause 6B. where it says:

“Delete in subclause (3) the words ‘may, if he considers it advisable to do so,’ and substitute the words ‘and shall’.”

It should read “and substitute the word ‘shall’”. [*Crosstalk*] You would then have two “ands”, because you are deleting from the word “may” and leaving the words “and shall”. I am saying it should be the word “shall” alone.

Mr. Maharaj: Sen. Dr. Mc Kenzie should be recruited, Sen. Daly. [*Laughter*] Thank you, Sen. Mc Kenzie. Mr. Chairman, I will delete the word “and”.

Mr. Chairman: We will treat that as typographical.

Question put and agreed to.

Clause 6, as amended, ordered to stand part of the Bill.

Clauses 7 to 9 ordered to stand part of the Bill.

Clause 10.

Question proposed, That clause 10 stand part of the Bill.

Mr. Maharaj: Mr. Chairman, I beg to move that clause 10 be amended as follows:

- “10(1) Delete the words ‘begin,’ in the fifth line and substitute the words ‘begin in a daily newspaper and’.”

I am instructed that this is to ensure that the demarcation notices are published in the newspaper. All in the supplemental are to consider what Sen. Daly proposed.

Question put and agreed to.

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Clause 10, as amended, ordered to stand part of the Bill.

Clause 11 ordered to stand part of the Bill.

Clause 12.

Question proposed, That clause 12 stand part of the Bill.

Mr. Maharaj: I beg to move that clause 12 be amended as follows:

- “12(1) A. Insert in subclause (d) after the words ‘servient land,’
 the word ‘and’.”
- B. Delete in subclause (e) the words ‘paid; and’
 and substitute the word ‘paid.’
- C. Delete subclause (f).”

If I may explain that the main purpose of this amendment is to really delete paragraph (f), so that A and B of the proposed amendment is to give effect to that.

Question put and agreed to.

Clause 12, as amended, ordered to stand part of the Bill.

12.15 p.m.

Clauses 13 to 15 ordered to stand part of the Bill.

Clause 16.

Question proposed, That clause 16 stand part of the Bill.

Mr. Maharaj: Mr. Chairman, I beg to move that clause 16 be amended in terms of the circulated draft.

- 16 “Renumber this clause as subclause (1) and insert the following at the end of this subclause:

- (2) Where the adjudication officer declared the title of any person as provisional under subsection (1)(d), the title shall become absolute after the lapse of three years from the date of such declaration unless within that period of three years the Court or Tribunal orders otherwise.”

Sen. Daly had made the point that there should be some time-frame and if there is no Order, the title should become absolute. There was a loophole in that

the Bill did not provide for a provisional title for it to become absolute. Sen. Daly saw this, and we are happy to amend it.

Question put and agreed to.

Clause 16, as amended, ordered to stand part of the Bill.

Clause 17 ordered to stand part of the Bill.

Clause 18.

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

Mr. Maharaj: Mr. Chairman, I beg to move that clause 18 be amended as circulated:

18 “Delete the words ‘consist of’ and substitute the words ‘be in.’”

18(1)(a) “Insert after the words ‘Demarcation map’ the words ‘including the property address’.”

Question put and agreed to.

Clause 18, as amended, ordered to stand part of the Bill.

Clause 19.

Question proposed, That clause 19 stand part of the Bill.

Mr. Maharaj: Mr. Chairman, I beg to move that clause 19 be amended as follows:

19 “Insert after the word ‘notice’ the word ‘in a daily newspaper’.”

Question put and agreed to.

Clause 19, as amended, ordered to stand part of the Bill.

Mr. Chairman: Hon. Senators, clauses 20 to 28 are comprised of two parts and there are no proposed amendments circulated, so with your permission, shall we do the balance by parts? Do I have agreement?

Assent indicated.

Clauses 20 to 28 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 amendment, read the third time and passed.

LAND TRIBUNAL (NO. 2) BILL

[Second Day]

Order read for resuming adjourned debate on question [March 21, 2000].

That the Bill be now read a second time.

*Question again proposed.**Question put and agreed to.**Bill accordingly read a second time.**Bill committed to a committee of the whole Senate.**Senate in committee.**Clauses 1 and 2 ordered to stand part of the Bill.**Clause 3.**Question proposed, That clause 3 stand part of the Bill.***Mr. Maharaj:** Mr. Chairman, I beg to move that clause 3 be amended as follows:

3. "A. Delete subsection (5) and substitute the following:
 - (5) The Chairman, the Deputy Chairman and other members of the Tribunal shall be appointed for a period not exceeding five years on such terms and conditions as shall be fixed by the President on the recommendation of the Salaries Review Commission."
- B. In subsection (9) as renumbered—
 - (1) Delete the words 'subsection (5)' and substitute the words 'subsection (4)'.
 - (2) Insert after the word 'Tribunal' the words 'for such period as the Chairman may recommend'.
- C. Insert the following at the end of subsection (9):
 - (10) The terms and conditions of temporary members shall be the same as those of the other members of the Tribunal."

It really fixes a time-frame and terms and conditions to be fixed by the Salaries Review Commission, and the terms and conditions of temporary members be the same as other members of the Tribunal.

Question put and agreed to.

Clause 3, as amended, ordered to stand part of the Bill.

Clause 4 ordered to stand part of the Bill.

Clause 5.

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

Mr. Maharaj: Mr. Chairman, I beg to move that clause 5 be amended as follows:

“A. Delete in subsection (1)(b) all the words after the words ‘for compensation’ and substitute the following—

‘under the Registration of Titles to Land Act; and’

Mr. Chairman, this is to hear a claim for compensation under the Registration of Titles to Land Act and not just limit it to section 67.

Question put and agreed to.

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

Clauses 6 and 7 ordered to stand part of the Bill.

Clause 8.

Question proposed, That clause 8 stand part of the Bill.

Mr. Maharaj: Mr. Chairman, I beg to move that clause 8 be amended as circulated.

A. “Delete in subsection (1) all the words after the words ‘Registration of Titles to Land Act’ and substitute the following:

‘the Tribunal shall having regard to all the circumstances of the case and subject to subsection (2) decide on the compensation to be paid which shall be just and equitable.’

B. Delete subsection (2) and substitute the following:

(2) Before deciding on the compensation the Tribunal may make such investigation or enquiry as it thinks fit in the circumstances.

(3) The Tribunal may order costs in appropriate cases.”

What this does is state that the Tribunal, having regard to all the circumstances of the case, decides that the compensation to be paid should be just and equitable and before deciding on compensation, the Tribunal makes such investigative

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inquiry as it thinks fit in the circumstances and it may order cost in appropriate cases.

Question put and agreed to.

Clause 8, as amended, ordered to stand part of the Bill.

Clauses 9 to 11 ordered to stand part of the Bill.

12.30 p.m.

Clause 12.

Question proposed, That clause 12 stand part of the Bill.

Mr. Maharaj: Mr. Chairman, I beg to move that clause 12 be amended in terms of the circulated draft.

“Delete in subsection (2) the words ‘and its jurisdiction and powers’ and substitute the words ‘its jurisdiction, powers and procedures to be adopted by the Tribunal for the hearing and determination of the matters before it by virtue of the transfer of jurisdiction by such Order.’”

Question put and agreed to.

Clause 12, as amended, ordered to stand part of the Bill.

Clause 13.

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

Sen. Daly: Mr. Chairman, can I ask a question about clause 13.

Mr. Chairman: Yes, Senator.

Sen. Daly: My question is—I might be being a bit obtuse but the way this thing is structured, do appeals from the Adjudication Officer go to the Tribunal?

Mr. Maharaj: Yes.

Sen. Daly: Then from the Adjudication Officer to the Tribunal and then from the Tribunal to the Court of Appeal. Because we defined “court” as meaning Court of Appeal.

Mr. Maharaj: Yes.

Sen. Daly: Now, in this one, do we go from the Tribunal to the High Court?

Mr. Maharaj: No, that was amended in the—

Sen. Daly: So that was amended.

Mr. Maharaj: Yes.

Sen. Daly: So it means Court of Appeal.

I have one other question—I am sorry, Mr. Chairman, it takes us back to something else—we amended the qualification of the Adjudication Officer to make him an Attorney of 10 years' experience, is that right?

Mr. Maharaj: An Adjudication Officer would have 10 years' experience.

Sen. Daly: But to be on the Tribunal you only have to have 7. I only now understood the structures, I am sorry to bring this up. So you would have an appeal from an officer, possibly of 10 years' time, with a Tribunal headed by somebody of 7. I mean, I am sorry to hark back and so on.

Mr. Maharaj: So there should be a consequential, because we increase the time of Adjudication Officer.

Sen. Daly: I am sorry to go back to it, this is what I was mumbling about earlier. It looks odd to have an appeal, possibly, from an attorney of 10 years' standing who is an Adjudication Officer, and the Chairman of the Tribunal who seven years.

Mr. Maharaj: It sometimes has that now in arbitration. *[Laughter]*

Sen. Daly: Well, in many things.

Mr. Maharaj: No, no, I understand what you are saying. Having regard to what you have said I think that we should really—because it was structured on the basis that that would have been a lesser—but we increased that, so we should have increased this one.

Sen. Daly: The Adjudication Officer would be of a slightly lesser rank. Maybe, at least, we should make it equal.

Mr. Maharaj: You are correct. Why not make it 10?

Sen. Daly: The Adjudication went from 5 to 7 so we should take this from 7 to 10.

Mr. Maharaj: You are correct. I am thankful for that. Mr. Chairman, do you want us to go ahead and then we would come back to it?

Mr. Chairman: Is that okay, Sen. Daly?

Sen. Daly: Yes.

Clause 13 deferred.

Clause 14.

Question proposed, That clause 14 stand part of the Bill.

Sen. Daly: Clause 14 has also been amended already, so the High Court has to be taken out, I assume.

Mr. Maharaj: Yes, that was done in the House.

Sen. Daly: Thank you.

Question put and agreed to.

Clause 14 ordered to stand part of the Bill.

Clauses 15 to 18 ordered to stand part of the Bill.

Mr. Chairman: Do you want to go back to clause 13 before we move on to the Schedule?

Mr. Maharaj: Did we approve clause 13.

Mr. Chairman: No.

Mr. Maharaj: We could approve clause 13 but we would go back to clause 3. In clause 3(3), instead “of at least 7 years’ standing, it should be “of at least 10 years’ standing.”

Sen. Mohammed: It would be 10 years as well in the Adjudication?

Mr. Maharaj: Seven.

Sen. Mohammed: But the amendment you proposed on April 04, the Adjudication went from 7 to 10.

Mr. Maharaj: So it would both be the same; the adjudication of 10 years and the Tribunal of 10 years.

Sen. Mohammed: So both would be the same?

Mr.. Maharaj: Yes, it is not a superior court of recording.

Mr. President: It would be from 7 years to 10 years and clause 13 would require no change.

Mr. Maharaj: Clause 13 would require no change. The questions which were asked on clause 13 related to the appeal.

Mr. Chairman: Let me just go back to 13 and then we would recommit 3.

Clause 13 recommitted.

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

Question put and agreed to.

Clause 13 ordered to stand part of the Bill.

Mr. Chairman: Hon. Senators, with your consent, I would like to recommit clause 3.

Clause 3 recommitted.

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

Mr. Maharaj: Clause 3(3) says:

“The Chairman and Deputy Chairman shall be appointed by the President, and shall be attorneys-at-law of...at least seven years’ standing.”

We want to amend that to 10 years. I should mention that earlier on we said that the Adjudication Officer was seven but we increased it to 10, so we are putting them on the same scale; 10 and 10, so I do not see any problem.

Mr. President: Hon. Senators, the question is that Clause 3(3), be amended at line 3 by the deletion of the word “seven” and the substitution of the word “ten.”

Clause 3, as amended, again, ordered to stand part of the Bill.

Schedule.

Question proposed, That the Schedule stand part of the Bill.

Mr. Chairman: We have proposed amendments by the Attorney General.

Mr. Maharaj: Mr. President, we have to amend this because the Agricultural Small Holdings Tenure Act has not yet been passed, and I think it would not be prudent to include it at this time. The Planning and Development Act has not been passed, so we are deleting the Agricultural Small Holdings Tenure Act and the Planning and Development Act. The Environmental Management Act—although that has been passed and there is the Environmental Commission, that is regarded as a superior court of record, so you could not have that going to the Tribunal. So we are deleting that. We are deleting Nos. 1, 3 and 4 and we are renumbering the rest of the entries.

Question put and agreed to.

Schedule, as amended, ordered to stand part of the Bill.

Mr. Maharaj: Mr. Chairman, I just wanted to mention—although the Bills are saying 1999 that would be an automatic change to put the 2000.

Question put and agreed, The the Bill, as amended, be reported to the Senate.

Senate resumed.

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

12.40 p.m.

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. President, I wonder, would you give me leave just to mention a few words of thanks?

Assent indicated.

GOVERNMENT'S APPRECIATION

Hon. R. L. Maharaj: Mr. President, I think it is my duty, in a matter like this which has been so complex and complicated, to put on record the Government's thanks to the Opposition and Independent Senators for their contribution and assistance in this matter. [*Desk thumping*] We also put on record the valuable assistance given by Sen. Daly. My technical officers have reported to me that his assistance has been very helpful in the flavouring of this legislation in which we had to marry different concepts in order to bring into line what we need in Trinidad and Tobago. We would also say thanks to him.

I put on record as well the great thanks of the Government to the public servants, the legal officers and the technical officers, [*Desk thumping*] for the work that I have had to do in court, where the Registrar General and the Chief Parliamentary Counsel have worked tirelessly in their departments for days and nights, on Sundays and public holidays, from late in the night into the early morning. People sometimes do not know what is really involved in the passage of legislation like this and they sometimes think that it is the Minister who is responsible for getting a particular thing done. It is not the Minister. As a matter of fact, without this assistance I would not have been able to put it like this, so I thank them.

Mr. President: This sitting is now suspended until 1.45 p.m.

12.44 p.m.: *Sitting suspended.*

1.47 p.m.: *Sitting resumed.*

ARRANGEMENT OF BUSINESS

The Minister of Public Administration (Sen. The Hon. Wade Mark): Mr. President, based on mutual agreement and having regard to the fact that last week was “Private Members’ Business” and today is “Public Business” and we did borrow some time from Private Members to deal with both the Census Order, 2000 and some amendments to the Tourism Development Bill, we had agreed among parties that after we concluded the Bills that we have just concluded a short while ago, we will allocate the remaining evening period to “Private Members’ Business”.

Mr. President, I so move that even though today is not “Private Business” that we at least, based on agreement, accede to the request that we have arrived at and move from “Public Business” to “Private Business” dealing with the Motion in the name of Prof. Julian Kenny.

Agreed to.

**SCIENTIFIC RESEARCH
(POLICY GUIDELINES)**

[FIFTH DAY]

Order read for resuming adjourned debate on question [November 23, 1999]:

Be It Resolved that Government states and elaborates its policies and priorities for the general direction of scientific research and technological development in the country and measures which it might take to ensure more efficient use of resources in the pursuit of these policies. [*Sen. Prof. J. Kenny*]

Question again proposed.

Sen. Mahadeo Jagmohan: Mr. President, I feel honoured to be able to speak on this Motion presented to this Senate by a true son of the soil. I say so because this Motion deals with a topic that is extremely important and necessary for economic development; side by side with scientific and technological development.

Mr. President, one will observe when reading the four recitals that comprise this Motion that they are in proper sequence, so we would see that a great deal of thought went into structuring this Motion. It talks about research and technological development, which is a very important aspect of our life at this time in Trinidad and Tobago. Science and Technology are developing so rapidly in the world that around every five-years, there is available for use completely new and advanced material in computer science.

Mr. President, permit me Sir, to state that all the religions and all the holy books deal with several economic, social, scientific and other matters, but quite often the persons with the real nexus do not ever allude to them or pay much attention. The Hindu holy books—the one I refer to is the *Rig-veda*—being one of the ancient and authentic books of Hinduism has recorded since about 5000 years ago—it could be more—in the tenth chapter, the third verse speaks about building ships and aircraft *et cetera* which would assist in procuring the necessities of life by building ships of wood, iron, copper and silver and using heat and fire to assist in the process. This is recorded and this knowledge is meant for all mankind.

Mr. President, 10,000 years ago, the ancient people of countries such as Greece, China, India and the whole of the African Continent referred to aeroplanes as “aerial cars”. It is recorded in history and in the holy books—particularly in the *Rig-veda*—aeroplane was referred to as “aerial cars”. The gems of telegraphic science were developed from the instructions given in the holy books of India at that time. I might hasten to add, that all the knowledge of science and technology found in the ancient books of India, China, Greece and Africa were meant for all mankind and not for any particular segment of the human family. It is clearly stated in the 8th Chapter of the *Rig-veda*, just as the *Holy Bible* and *Holy Quoran* is meant for all mankind.

Mr. President, having said that Sir, it is the duty and sacred responsibility of all governments in charge or in power, to establish aims and objectives of scientific research and technological development. If this is not clearly stated then there can be a great deal of problems in the sense that, perhaps, all segments of the society will proceed to deal with science and technology in their own little corners, thus creating difficulty for a cohesive scientific development which could redound to the benefit of all the citizens in the country.

1.55 p.m.

I say so, Sir, because quite often, we find that private individuals and companies are in a sound position to carry out certain technological and scientific developments, but refrain from so doing, because they do not wish to do what there is no pronouncement on.

If we establish aims and objectives of scientific research and technological development, then we would think in the following manner, that we plan to develop human resource potential; we intend to promote efficient use of national, natural and man-made resources, and technical and scientific development can only take place when we have access to the natural and man-made resources.

Then, the economic question will come in, that we should minimize costs and, at the same time, maximize output of goods and services. I am sure our economic Professor here will agree with that kind of thinking on my part.

The fourth point is, it will improve the quality of the goods and services for domestic consumption and export as well, and would improve international competitiveness and develop export potential. That is to say, if we have our aims and objectives properly structured generally to promote economic growth and economic welfare of citizens.

I say, Mr. President, that the framework for policies should be on an educational focus. There should be emphasis on scientific and technological education across the education system from primary to tertiary. Real success could come if we start scientific and technological education and development from the primary level and go right on to the tertiary level.

Greater emphasis should be placed on primary and secondary levels of education to develop interests and skills in science and technology. I do not want to beat this too much because it has already been beaten in this country, but good examples we have are Singapore and South Korea. The way they do things there, places them in a good position to have genuine scientific and technological development which enhances the economic situation in those two countries for the well-being of their citizens. Not necessarily South Korea and the other places, but indeed, all developing countries where the availability of fully equipped laboratories and teacher training facilities are available. In such an environment, science and technology could be better developed. Perhaps a review of the curriculum in Trinidad and Tobago is an urgent need at the moment.

In order to enhance the provision of scientific and technological developments, provisions for more resources at the tertiary level are necessary for training at the University of the West Indies, the Caribbean Institution of Research, Science and Technology and even elsewhere.

We all agree that in order to enhance our plans for rapid development of science and technology, Trinidad and Tobago should identify external sources of funding—which is a delicate matter in this country at this time—for educational institutions but, surely, there is no policy on this matter by the Government. There is no declared clear-cut policy, hence we have such a Motion before us.

I am not at this time saying that the Government is doing nothing for scientific and technological development. I am not making such a broad statement but,

indeed, I am saying that there is not a properly structured programme, or there is not a declared policy.

A great deal could be sourced from the United Nations, the World Bank, the Inter-American Development Bank and other external agencies, for assistance to improve scientific and technological learning. In order to effectively train citizens in the area of scientific development, Trinidad and Tobago should maintain linkages with international research institutions in this area.

There should be a properly structured scholarship programme with teacher training in mind. What do I mean by this? I do not mean that at one time you send two or three people on a scholarship basis to study some scientific or technological matter, but it should be so structured that this kind of programme would be continuous, and those people who go first, should be trained in a manner that they could be teachers and would train locals upon their return. That is what I am saying, Mr. President.

Then, the establishment of a technical university or a department of the University of the West Indies to specialize in scientific and technological development could become a reality. Presently, we are not sure what is happening in that regard.

A number of large companies, or branches of multinationals, existing in Trinidad and Tobago are attempting to train locals, but there should be more incentives from the Government of Trinidad and Tobago. Fiscal measures can be initiated for the use of grants and taxation measures to promote research and development in the field of science and technology. When I say “fiscal measures”, perhaps I should spell that out. Perhaps there should be interest-free loans to candidates or students wishing to advance studies in this regard. Perhaps anyone undertaking research in the area should be in a position to receive a grant in order to finance such a programme. Presently, we do not have this.

Then, a very important area of thought could be the role of technology transfer. This is being spoken about these days in a number of countries, but in Trinidad and Tobago, we do not have a clear-cut programme for technology transfer.

Technology transfer can become a very beneficial method of developing young people in the area of science and technology. To a small extent, this takes place presently, but not to the desired extent. There is no pronounced policy by the Government.

So, then, whenever my party, the People's National Movement is back in government, we would surely give this matter due consideration.

Sen. Tota-Maharaj: When is that? 2525?

Sen. M. Jagmohan: That would not be too long from now.

Mr. President, the private sector is playing an important role in the field of training, but it is not the way the learned Senator would like to see it exist on the basis of his Motion. There are so many learned people here that I do not have to say all this because I am not here to teach too much, but there are two kinds of research that research scholars and professors undertake—pure research and applied research—and both kinds of research will help.

The area of applied research involving the development of a practical business proposition from an idea, is what we must be thinking about. Research is very costly and entails the use of valuable resources—for example, financial and personnel—that many firms are unable to provide. They are unable to provide them because the goods and services they sell would not be able to meet those kinds of expenses, I suppose because of the size of our country.

Without research and development, firms cannot improve the quality of their products, as well as efficiency. Research and development is important in all facets of life. For example, telecommunications, medical, technological, the environment, computer-related, *et cetera*. In a small country like Trinidad and Tobago, Government policy on research and development is very important for the undermentioned reasons.

Being small means that funds and resources are limited, therefore, our resources directed towards research and development should be used efficiently and not wasted, as we can see waste taking place sometimes around us. Perhaps the people who incur waste are not efficient. That is a matter over which to ponder.

We cannot pursue research in all areas of life. We will have to decide what are the most important areas to pursue research and development locally in which we will get the maximum benefit for our investment. When I say “investment”, Mr. President, not necessarily hard cash poured into it, but the placement or transfer of the human resource—personnel—into some of these plans and programmes so that we get maximum benefit.

Our policy on research and development must also outline areas where we will have to buy research and development done elsewhere. In thinking about

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purchasing the results of research and the results of certain kinds of development, if we are buying from North America, then the costs might be prohibitive in the sense of the fiscal measures again—the exchange of the dollar rate or what have you, or it could also mean the exchange of the pound.

Our Government policy must also state how foreign technology must be transferred from the foreign companies to local nationals. For example, training. This can only be done by the Government taking the lead.

2.10 p.m.

Our research and development policy should be specific so as to avoid duplication. We need a thoroughly coordinated policy so that we will not have situations where different companies would be doing the same thing and we would have duplication. This would be wasteful for a small developing country like ours. We must also be clear on how we, as a nation, are going to encourage research and development. Should we encourage the private sector to pursue research and development, or should we set up a state-funded agency?

It is clear that a state-funded agency would be subject to the bureaucratic red tape that we experience; not the doing of any one particular area, people, region or government. The bureaucratic red tape system has evolved in this land over many, many decades.

Government policy must also be well articulated so as to encourage firms to convert basic scientific research into innovations and product development. It is useless conducting scientific research if they are not going to be commercialized for a better standard of living. The bottom line, Mr. President, in having a policy for scientific and technological development is to enhance the lives of the citizens of the country. This enhancement takes place when people can benefit, both directly and indirectly, from the result of scientific and technological development. Definitely governments must be—not the only facilitator but—the major facilitators in this regard.

There must be agreement. The Government could lead the way to causing the private sector and the relevant state agencies to be involved in this activity. I wish to say, Sir, this Motion is of such a nature that extensive politicking in the Parliament will not help. We read recently—I need your permission, Sir, to refer to an article in the *Sunday Express* of March 26, 2000. The headline is:

“Money woes hit Tobago Hilton.”

What has that to do with scientific and technological development? That question could arise right here in this Parliament at this time. Surely the relevance is there—in the sense that the construction of that hotel in Tobago, which is massive, should be something to admire when the programme is completed. We observe that a number of Trinidad and Tobago local firms that could help in scientific and technological development are involved. Because of what they experience there, the construction programme fell flat on the ground for a short period because of funding. I am relating this funding to funding for scientific and technological development because science and technology—I said it already, I am repeating myself—is geared to benefit the entire society.

Mr. President, what is important—I may say this now, before I take my seat. It is extremely important if and when programmes are put in place to get involved in activities that will bring about scientific and technological development for all the people of Trinidad and Tobago. The financial arrangements must be properly structured and must be managed in a way that we do not have the Tobago Hilton Hotel situation. That did not go down too well with the international community. Because of the beauty and the importance of Tobago many people are looking forward to the completion of that hotel, so that, perhaps they will access the services being offered by that hotel in Tobago. I say this, Sir, in the sense that people look for the best everywhere and it is important that all the state agencies such as the Caribbean Agricultural Research and Development Institute (CARDI) and the Caribbean Industrial Research Institute (CARIRI) and all the others should be sensitized by the Government, if they will. I am hoping that they have the moral courage to approach these bodies—regardless of whether they are beneficiaries of Government funding—to get into the question of scientific and technological development and state the policy and explain how it will benefit the community.

Something is happening: a number of people in this country, our country, have good ideas. Whenever they come up with a package or a proposal—to me, people who are afraid of competition get in the way and do everything that they could to see that certain programmes and projects do not come on stream. That is a sad day. I am stating, Mr. President, if the Government has a clear-cut, properly enunciated policy, structured with its aims and objectives for scientific and technological development then, and only then, there is going to be real success. Indeed the role of the Government must be that of facilitator, not necessarily the sole authority to implement scientific and technological development.

Mr. President, this Motion has been lying for a long while. We have all read it. We all understand some of the points being made and the very—what should I

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say—enlightening way in which the mover of this Motion, Sen. Prof. J. Kenny, has stated it. It can spur many people to action, but Trinidad and Tobago has not seen—I say Trinidad and Tobago, reservedly, Sir—the entire reproduction of this Motion anywhere in the media. Perhaps reference could be made to it. I have no quarrel, at this stage. I am not quarrelling with the media. I am merely saying that, perhaps, something could be done about this.

As I mention the media, Sir, we of the People's National Movement (PNM) have no quarrel with the media and the work they do. We will quarrel with them if they do something that we do not like but we do not condemn them. We encourage people to read the *Express*. Mr. President, scientific and technological developments first reach the media, and through the media the population gets to know all about it.

I am saying, Mr. President, the People's National Movement, when it was in government the last time, initiated a number of measures for scientific and technological development but, as fate would have it, we were no longer there. I have observed that the Government of the day is carrying out, in a piecemeal way, some of the measures we have put in place, but it does not wish that it be known that it is carrying out the policies of the People's National Movement.

Mr. President, we fully support the Motion as moved, presented and being debated here today.

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

2.20 p.m.

Sen. Dr. Eric St. Cyr: Thank you. Mr. President, we have been debating this most important topic over the last six months and sometimes we lose the thread of the debate. This Motion is very important not only because of the subject matter itself, but because I believe that in addition to a government dealing with the day-to-day business before it and updating legislation, it also has a responsibility to stand back and take a long view and marshal all the resources in the society to give direction on key policy matters. Certainly, scientific and technological policy is so critical that we neglect attention in that area at our peril.

I think that Sen. Prof. Kenny is to be congratulated for bringing the Motion. One of the things I hoped would happen in debates like these is that the whip could be taken off the Government side and Members on the Government side could be allowed freely to debate. Since it is not equivalent to the passing of a motion of confidence in the Government, all one is saying is, could you articulate

your policies? Let us debate, let us discuss them and, hopefully, coming out of a debate like this you could set the relevant minister or ministers with the key scientific officers to produce a White Paper which could then be made available to the nation, as a whole, as a policy document.

Mr. President, technology is imbedded in people and we really have to know this. It is captured in hardware, capital equipment, and that is what we use to provide services in the country. I was looking recently at some of the new picture-postcard buses running up and down our bus route, and I could see in that the elegant touch of a special person who looked probably south rather than north to source that hardware.

I want to make the point that the human person is central, not only as consumer or producer but as the repository of all the scientific knowledge and technological capabilities in the society. So in the debate, those who focussed strongly on the educational system and the human resource problem were very much on target. I think Sen. Dr. McKenzie and the hon. Minister in the Ministry of Finance, Planning and Development, Dr. Job, focussed on that area, among others.

Let me, Mr. President, by way of a background, attempt to give the economic importance of technological development. When economists started probably 70 or 80 years ago to attempt to measure the determinants of productivity in society, they started measuring quantities of labour, capital and the output resulting from those inputs. After much painstaking and accurate analysis, they found that they could explain, at most, 20 per cent of the variation in output by variations in input, some 80 per cent being unexplained. That 80 per cent came to be known as "the co-efficient of ignorance." One did not understand the source of that 80 per cent increase in the productivity; it was not accounted for by increases in labour or capital. Further probing revealed that the 80 per cent was really due to technological improvements.

One of the paradoxes revealed by the discipline of economics is that in comparing the exports of countries like the United States of America with countries less industrially developed, it was discovered that American exports tended to be labour intensive and not capital intensive, relatively. Again, on further analysis, the explanation there is that the inventiveness of the labour in the United States, caused many new products to be developed which fetched a relatively high price internationally compared with the products of a more mature technology which then tended to be relatively capital intensive.

Perhaps, Mr. President, I could give one final illustration there: Most of the trade in the world is not between different parts of the world, regions or countries

which differ in natural endowments, but most of it really takes place among countries quite similarly endowed with natural resources; the reason, yet again, being the human element. So I am making the case that in a world where there is an international division of labour, especially in a liberalized world economy, if we are to access a fair part of world income, one necessarily has to address, critically, the human resource problem.

Sen. Prof. Kenny in moving the Motion focussed on two key areas; firstly there must be efficiency in the use of scarce human and financial resources in a small economy such as ours, noting, in particular, that we must avoid duplicating effort. Secondly, there must be optimal deployment of scarce scientific personnel, so that you want to carefully examine on which areas a country such as this should focus its research and technological development efforts, and optimally direct the resources that we are putting into that area, in those directions.

As I said, Sir, I would have been very happy to hear 15 or more persons responding from the other side. We did have four participants from the Government Benches and I think they were all very enlightening. My main comments on the response in the debate so far—and let me say that, by way of hoping that somebody would come and fill the breach—is that the responses we got were not connected, they were disjointed, though in their individual ways they were good.

For example, the honourable Minister of Energy and Energy Resources focussed on the success of the Government in getting attached to the contracts currently been negotiated, commitments of substantial sums of money for scientific research and training. My question to him would be: What is the best use of these energy dollars? Where best do we put them? So we come right back to the question: What ought the country to be doing? How should it be setting about to do it?

The hon. Minister of Public Administration, in his own way, presented a very good analysis of the attempts of the Government to introduce modern technology: information technology, people systems, into the delivery of public services. I did, at the time, remark that his contribution was well on target and a good one. I was particularly impressed—and I am sorry that he is not here—by the contribution of the distinguished troubleshooter, implementer, Sen. Gillette, because I think that his contribution was absolutely brilliant. I wish he were here that I could tell him that.

The point about it is that there is a window of opportunity open to nations whenever there is a new technological area being opened up. Those countries which spot that window and could get into them, find themselves among the big

nations, internationally. I think that Sen. Gillette identified that opening to be this information technology and to him I would put the question: How do we get the country to identify that window and how do we access the opportunity? Mr. President, if you went through the history of world technology you would see what innovation in transport technology did to a backward agricultural society like Britain and so on and so forth.

Let me say that the Southeast Asian “tigers” spotted an opening and came through there, similarly Japan and so, if I were in any position to influence direction, I would want to suggest that Sen. Gillette and a team be set the task of seeing how best Trinidad and Tobago could access that window. I hope in saying that I am not setting up the dear young man improperly in any political sense, but I just genuinely believe that he is on to a key opportunity from which this nation could benefit.

Minister Job pointed to, essentially, our flawed educational system. I think, essentially, what he was arguing was that we have to open up the minds of our young people; open up their curiosity and set them free to use the tremendous natural abilities with which we are all endowed but which, in so many ways, we have tended to stifle in our young people.

2.35 p.m.

Mr. President, let me at this point join the debate. I suggest that the reference that Sen. Gillette made to a draft policy—I do not know whether he was inadvertently referring to that, or whether that was one of the things he had to do—should be made public. Looking at this very beautiful publication: *National Energy Skills Centre*, on page 15, the Trinidad and Tobago Institute of Technology, that at long last after 25 years, the proposal for a Trinidad and Tobago Technical University seems to be taking shape. It was first put out in that White Paper on NIHERST and we finally see that it is taking shape with a slight variation in the name, but I do not think anyone would quarrel about that.

Essentially, what we want to deal with, is how to organize our national scientific effort and that involves our regular educational system transformed, but it also involves a turnaround in how we perceive training, education and research. I want to say that we have probably had as one of the disadvantages, a very close connection with the British educational system. This has served us well in many respects, but certainly, I do not think it has served us well in the way we have organized and approached our technical education. A far better example of how that could have been addressed might have been countries like Germany and

Holland on the continent of Europe, perhaps Japan and perhaps the United States of America. The case I know a little about is the case of Germany.

We are all very familiar with the work of Otto Von Bismark in unifying Germany in the middle of the 19th Century, but complementing the unification of Germany in coming to the problem of the customs union and the unification of the economy, there was also tremendous work done in the reform of education and training and the release of entrepreneurial talents, and that work was led by a man called Peter Beuth and he set up a number of technical schools where men in industry actually did the training where blueprints were being developed and where the state put itself in a position to make seed capital available to entrepreneurs with ideas for implementing.

Much of the industrial strength of Germany was built up in the latter part of the 19th Century on the organization of the training of young scientists and technologists, and even today, many of the persons you will find in engineering and economics coming out of the Netherlands and Germany have not gone to university such as we understand it, they were trained in industry. So it is a work and study programme certified, so that their training was hands-on and I say it is not only obtained in engineering, but in disciplines such as economics as well, where a great deal of the training is hands-on. I believe that the idea on page 15 in which I sense that there is going to be a close development of training in the industry is correctly based on that. I think it is good that people see the thing hands-on and go in that direction.

Mr. President, I end by saying that we have had so far, perhaps up to before I started, a good exchange on this subject. I have sought simply to give an economic background and partial rationale for the importance of this. What I am hoping that the Government will do, is find time very soon to set in train the pulling together of a draft which could then become the subject of a national debate, and if this is all we got out of this Motion, Sen. Prof. Kenny, I think we would have done well, and I thank and congratulate Sen. Prof. Kenny for starting this debate.

Thank you.

Sen. Prof. Julian Kenny: Mr. President, I, like Sen. Dr. St. Cyr, had hoped for rather more from the Government side. In fact, we have had a comparatively narrow contribution. There are many areas of endeavour in this society involving science of one kind or another, or research and technology of one kind or another and I would have hoped that the Ministry of Health, for example, might have

made a contribution, or the Ministry of the Environment, which is very important. Indeed, even the Ministry of Industry and Commerce, which is responsible for using technologies and making products. It is a bit disappointing actually, to debate a Motion like this where contributions from the Government's side are comparatively few.

Mr. President, I do not know if it is too late in the day for us to change our Standing Orders and invite Sen. Tota-Maharaj, but, it is rather disappointing because the bulk of the contributions came from the Opposition and the Independent Benches. I am going to use a slightly different approach in summing-up, if I may. I am going to just briefly review some of the points which I wanted to press home, and then I would like to do a sort of analysis, or dissection of the Government's contribution to see if I got it right, to see what was intended from the Government's side. Then I am going to depart slightly, I am going to be so bold as to use all the contributions that have come from both sides of the Senate to structure a draft policy. [*Desk thumping*]

Mr. President, when I structure this, I assure you that although it would be far from perfect, if you went on to the international market to recruit a foreign consultant to come here to advise us you will probably pay him U.S \$50,000 and I think that we, as a community of politicians, really ought to be able, on the basis of a general debate of this kind, to construct a skeleton policy. I will go even further to suggest that perhaps, in the not too distant future, if we follow the suggestion of Sen. Dr. St. Cyr, that perhaps we can get a few heads together to do this. We do get them together on all sorts of other things and I am sure that we have so much talent in this Senate, and so much talent outside of the Senate, that I am quite sure that we could flesh out something which could serve as a basis for the Government to produce the necessary Green Paper or White Paper.

My main concern was—I think most people have actually referred to this but—in the debate we did not really hear contributions from all the ministries which are normally involved in science and technology, although we obviously got very sound contributions from some. I also pointed out in my contribution that the nation as a whole, in all these various institutions, we do not seem to have got it right yet, how to assess what is actually going on, how to evaluate what is going on in relation to expenditure. I will return to these things later.

One of the major concerns that I have had and I have cited specific examples, is the problem of duplication of effort which goes on throughout our society and I spoke with my particular interest areas and I pointed out that there are three different institutions involved in fisheries research, four different institutions

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involved in aqua culture research and these all draw from the public purse. I am sure when one looks at the wider scene, that this problem is quite widespread, it is not only fisheries, I am sure there are other areas where the problem arises.

The final point with which I dealt is the question of training of scientific researchers and training and technology and these were the major concerns. The final one which is most important, was the one I raised on the matter of accountability. We are very concerned about the Judiciary costing \$80 million a year to be accountable, and yet we spend probably three times this in science and technology, and we do not seem to care to look at it, and when others look at it critically, the response is usually defamatory. That was my little private joke.

Mr. President, I am turning now to a summary of the Government's contributions, and I am not going to go into the specific details, but I think that the key note to the contribution from the first speaker on the Government's side, Sen. Gangar, the Minister of Energy and Energy Based Industries quite clearly articulated one of the basic goals to which I would refer later when we start thinking in terms of a draft policy.

2.50 p.m.

It would follow from the hon. Senator naming the goal that a policy would flow. A policy did, in fact, start to flow but somebody cut it off. I do not mean the hon. Senator, but somewhere along the line, coming from the Government side, there appeared to be a breakdown of some kind. I would come back to the goal and how policy emerges from this.

The hon. Minister went on to raise two vitally important points or questions: Should we, for example, import the results of technology or scientific research or should we try to do it ourselves? I think that there are answers to this. Certain kinds of scientific research have to be imported because we simply do not have the resources. Certain kinds of technology have to be imported but, at the same time, I feel that if we could identify more, precisely, the thrust of our development, we ought to be able to give a few bright young people, or institutions their heads to do the necessary scientific research or the necessary technological innovation.

I am not suggesting that we differ; I think the hon. Senator raised the questions and I think the Government clearly understands that you cannot just simply be an importer of everything. At the same time I think the Government understands that we really must be able to encourage the development of skills. I take it from the announcement of the Trinidad and Tobago Institute of

Technology that, in fact, this is one thrust where we are going to acquire; and in the process of acquiring technology we are going to modify it as necessary. I think this is a fairly powerful keynote approach to it.

Mr. President, nevertheless, I must express disappointment. I tried to go through the specific items that would form part of the policy framework. Coming from the Government side, there was announcement of a scholarship programme. I think this is admirable. One of the problems with the scholarship programmes of course, is that they range in offerings; and in where one may take the scholarship—from the islands or the open scholarships which people are allowed to take up and go anywhere. There are others like the additional scholarships and then, of course, the ones that are based-oriented towards particular sectors of the economy. I think this is admirable.

I think, at the same time, there really ought to be a review of national scholarship programmes in the very, very broad sense. Sometimes I think of the ways in which scholarship winners proceed with their careers. If I may be personal, my son won a national scholarship in 1976. He went to the United Kingdom and he did his D.Phil. at Oxford. He came out of Oxford University with a D. Phil. in physical organic chemistry, and he came back to serve his time. For the first year he was unemployed. The second year he got a substitution post at the university to fill in for somebody, and in the third year he was offered a job teaching mathematics at El Dorado Junior Secondary, with a D.Phil. from Oxford! At the end of his service he went abroad and he is now a senior researcher at Astrozenica in the United Kingdom. *[Interruption]*

Sen. St. Cyr. Philosopher, but lost to the world.

Sen. Prof. J. Kenny: Lost to us! This, apparently, is repeated over and over. So I think that while we talk about scholarships, we really ought to be thinking in terms of reviewing our scholarship programme. I mean, I do not have all the answers, I have, possibly, some of the suggestions, but it is a very important element of the Government's policy to recognize that we have to do something about scholarships.

The second point that emerged was the development of technology skills and education. This did not come across as clearly to me, the distinction between what would be done by the technology institute of Trinidad and Tobago, and some of the other technical institutes such as John Donaldson Technical Institute and San Fernando Technical Institute. It is not clear to me what part they would play in the technology institute. Perhaps, when the policy is being fleshed out, consideration might be given to this.

The third point was the actual announcement of the establishment of the technical institute of Trinidad and Tobago. The one, I think, Sen. Gangar, Sen. Gillette and Sen. Dr. St. Cyr referred to. I would just point out, however, again, I am somewhat concerned about it, in that, this institute will be a modern institution which is fine. Clearly, it is being developed to train people at certificate, diploma and degree levels. Everyone has to acknowledge that this is the direction to go. I notice, however, that this is being done in collaboration with Southern Alberta Institute of Technology, Canada; Drexel University in the United States of America, and it goes on to say that a memorandum of understanding has also been signed for co-operation between the institute and the University of the West Indies Faculty of Engineering. Is it only the University of the West Indies Faculty of Engineering? I think there is material science in the Faculty of Agriculture and Natural Sciences. And I think also there is a fairly strong mathematics and computer science department in the Faculty of Agriculture and Natural Sciences.

I wondered whether the Institute was going to have a memorandum of understanding with John Donaldson Technical Institute and San Fernando Technical Institute, or, any other institutions which may function in the country? I mean we accept what you say, we see the direction but we would like to get down to specifics.

The fourth point that comes from the Government side was the establishment of specialist laboratories and chairs at the University of the West Indies. I think this is admirable. But I think that laboratories are not necessarily to be confined to the University of the West Indies. There is a different way of life. So that is the point that comes across. Again, it is admirable.

The fifth point that came across was the exploration of alternative energy sources. This is admirable. The gas is not going to last forever, and talk was made of solar and wind. Mr. President, I am just mentioning it at this point, because it shows you that somehow thinking tends to be confined to little blocks in the country.

I have raised, on more than one occasion, another alternative source of energy and this is the energy of the stream which runs along the south coast of Trinidad. This is the outflow of the Orinoco, which moves at about two knots, year in and year out, and at the narrows, the flow is approximately 500,000 cubic metres per second. This is an awful lot of energy. I do not know how one harnesses this kind of energy, but if we had a science policy we would have a little think-tank on this. It may be just nonsense, but here you have an energy source: can it be tapped? If the technical people think about it and say it cannot be tapped; okay fine, at least, we have thought about it.

3.00 p.m.

So, going on, the sixth point coming from the Government side is the establishment of the science park. I was a bit confused as to what the science park is supposed to be. It is going to be out in Wallerfield. It is going to be a fairly large thing. Is it that we are going to have foreign companies come in there and we will be landlords hoping that they will do things from which we can get revenues? Or is it proposed that we will actually, as a nation, get involved from the ground floor, favouring certain areas for development? It was not clear to me. I suggest it is not clear to other Members of the Senate.

The seventh point that came across very, very strongly is the development of computer literacy, computer sciences generally and information technology. However, Mr. President, one thing that disturbs me about the talk is that, we spend so much time talking about information technology, we are talking really about using computers and accessing information. That is the low end of the information technology business. Where in the policy do we see any directions as to the development of a computer software industry? It really was not mentioned.

Now, in other parts of the world, India, for example, is one of the major producers of computer software, second in the world to the United States and the rest of the EU. I learnt to my amazement that Ireland is now another major producer, way past. So here we are talking about information technology. We cannot continue to be merely users. Surely information technology, where you are using machines, relies on human brain power. What can be done in Ireland can surely be done here if it is encouraged in the right direction.

Mr. President, these are some of the points that I could put together in a string. I found no clear indication of scientific research *per se*. I think that this is really wanting in the policy. I will just skip over these things and go on to a possible national policy including priorities. Here I would quote from Sen. Gangar who, in his contribution initially, right up at the start, said:

“However, Mr. President, I want to assure this honourable Senate that the Government recognizes that scientific research and technological development are prerequisites to ensuring that Trinidad and Tobago remain on the competitive edge of technology on the international front.”

Now, this is a clear goal, well articulated and from this goal there will flow policy. What is policy but a guide to action and to development of strategies to meet this goal. I would like to, before I get into the specifics in my contribution, specify, I think, nine elements of a national policy. Of course, this is subject to

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discussion, debate and possibly when we get a few heads together we can rearrange this thing and can possibly have even more elements.

The first one, Mr. President, is identification of the areas of science and technology important to our development. This is a reflection on what Sen. Gangar was saying earlier in his contribution, and this is a key to the development of the policy. If we cannot identify those areas then we are throwing money away. We have to identify the areas. The second point is, identify the particular areas of national interest and then devise particular strategies for the major thrusts in these areas. I will return to this later on because we have had some suggestions coming from the Opposition and Independent Benches on particulars as to what we might do.

The third element in any policy would be to identify, rationalize and possibly establish the institutional arrangements necessary to meet the specific objectives. Now, already we have had some establishment of a new institution, but we have not really rationalized things in the sense that we have many other institutions that just seem to be ticking over, drawing funds from the public purse and producing little of consequence.

Mr. President, related to that point of establishing institutional arrangements, specific objectives, we also have to develop performance targets. There can be no science or technology policy in the absence of clearly defined performance targets. When public funds are spent in the sort of millions that we are spending, it is reasonable to say, "Listen, this particular project, we expect a certain result by a certain time. This is the deliverable", as the consultants generally refer to it.

The fourth point is that, and this is absolutely essential, we must establish independent review systems, for, whatever is done, we cannot have himself telling himself. It just simply does not work or cannot work. The fifth element in any draft policy is the provision of dedicated funding to support particular thrusts. In fact, some of the Independent and Opposition Senators have actually referred to this element of policy. I will refer to it in due course. The sixth element is the provision of fiscal incentives for scientific research and technological development. Now, this is to distinguish between the state providing dedicated funding and providing incentives to other institutions, particularly in the private sector, to support their efforts in scientific research and in technological development.

The seventh element in any policy is communication of the results of the scientific and technological research. It goes without saying, Mr. President, that if

one does research and does not communicate those research results, one has no purpose in life. With regard to the expenditure on you as a scientist or as a technologist, if those results are not communicated, then you are a parasite on society. What your brain has created is of no use in the society unless it is communicated, and several Senators referred to this.

An eighth element is the re-examination of our educational system at all levels with a view to development of, if necessary, elitist streams to move along certain areas. Now, I know this sounds a bit fascist. It has been done in other parts of the world, but we can, in fact, accelerate development if we are prepared to devote effort to a particular area of education, for example, the development of computer software. You are not going to get it in an ordinary class at school. You are not going to get it as an undergraduate at university. You are going to get it if you could put together the heads that actually are experienced in creating software with the bright young ones who have the natural flair for it. Finally, Mr. President, a major and important element is to find mechanisms to retire non-productive scientific research or technological research and to eliminate duplication of effort. This is the basic core of a scientific policy. It can be refined here and there.

Now, Mr. President, having given this Senate a sort of basic policy, I would just expand on some of the areas as they came from us. One of the first things that I raised was the identification of areas of science and technology that we ought to be considering. This is quite easy to do. Take, for example, our size, our economy and our position. Is there any argument for development of aeronautical engineering space research, astronomy? We can buy aeronautical engineers. There are areas that can, in fact, just be eliminated from those of immediate interest in meeting the goal that was articulated by the Government.

I would think that there are areas of science, pure science, like marine biology and oceanography, which would be of interest to us because we are surrounded by the sea, we get products from the sea and we could get energy from the sea, so, clearly, these are areas of science that are of importance. However, there are also other areas of science that are necessary in our educational systems because, if you want to have scientists and technologists in your society, you must give them a broad scientific education. This means, then, that you must give them, as I say, the reading, writing and arithmetic of science. They must have a life science, they must have mathematics and they must have chemistry and physics and that sort of thing.

So clearly, we can identify areas of importance. I think the Government could identify this immediately and that is the first element of our policy. I was going to

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point out also, that our medical sciences are very important to us. I just saw in my notes here that, clearly, research in epidemiology is important but human cloning or animal cloning is totally irrelevant to us as a society.

Anyway, let us take, to me, one of the first important contributions, and I sincerely hope that some of the Senators whose names are not mentioned do not mind too much. I wrote this last week in preparation for the debate, but Sen. Prof. Ramchand made, in his wide-ranging contribution, a very, very important suggestion. Now, I am not actually going into the specifics but he talked in terms of having a scientific advisor to Cabinet. There is a very good reason for this. He may, in fact, have been thinking of an individual or an office, a few bright heads. In the United Kingdom, Tony Blair has a scientific advisor. Bill Clinton has a scientific advisor, and they have to hold offices that offer advice or are encouraged to give advice on issues to whoever happens to be in charge.

Now, this is most important for a very, very simple reason. Your Cabinet is determined not by the scientific qualifications of the individual members—the Cabinet is comparatively small—and no one member of Cabinet will necessarily have the broad experience of science or technology, for that matter, that would suffice and we already have a fragmentation of effort between different ministries. So it really requires somebody or some office which can stand aside, look at the issues at which we are looking now and develop their positions of advice to the Government.

Then Cabinet, in its wisdom, can take the submissions and say, “Okay, fine, we will go with this”. There may be possible conflicts between different thrusts and Cabinet clearly has the responsibility and will say, “We will select this and this will be one of our major thrusts”. I will come back to major thrusts in a minute or so, this suggestion coming from Sen. Prof. Ramchand, and I think it really bears thinking about.

3.15 p.m.

Mr. President, years ago, in the early days of the PNM administration the late Dr. Eric Williams, in fact, established something called “The National Scientific Advisory Council” which was advisory to Cabinet. Now, I think the point that Sen. Prof. Spence made in his contribution—this was an internal thing in Cabinet; this was not something created by Parliament. So that at the end of a certain period, it just disappeared out the window. There is nevertheless, in my view, a need in your scientific policy to have a distinct scientific advisor—or if you wish it that way, science and technology advisor to the Cabinet. I do not think that a

body like the National Institute of Higher Education, Research, Science and Technology or the University of the West Indies is in a position to do this.

Mr. President, when we think of thrust in our science and technology, I would like to refer to some suggestions made by Senators Daly and Shabazz who are clearly emotionally bound to our national instrument. Both expressed concerns at what we had not done about the steelpan and its development in 50 years. Both lamented the fact that people in Sweden, Texas and so forth are doing brilliant work on the development of the steelpan technology.

Mr. President, like Prof. Spence, I made some enquiries because we read in the newspapers that the UWI is starting something. It is really quite remarkable what has happened; or what has not happened; or what has happened elsewhere; and what has not happened in Trinidad. My information was that the Caribbean Industrial Research Institute was very much involved in this about 25 years ago, approximately, and the manufacturers, Saab in Sweden had actually gone through in collaboration with CARIRI using different forms of stainless steel; pressing the pans in different ways and so forth. This material had actually come back to CARIRI where, I think, it is in storage, as I have been informed by Dr. Copeland who is in charge of the unit. Now, I think the point that Senators Daly and Shabazz were making was that we really ought to have a dedicated effort or thrust again. You cannot just simply wait for Dr. Achong, Dr. Copeland, or Dr. Imbert at UWI who are engineers. They are trying to develop a centre now for the steelpan after 50 years, and this centre will require musicologists, historians, metallurgists and sociologists and they are trying to do it on a piecemeal basis begging a bit for this. They do not have a dedicated building or facility; they do it as part of their work, as their dedication to the country.

Now, if we are serious about the steelpan, the initiative ought to come from the Government side. We ought to go to those people and say, listen, you are developing this centre, what are the basic needs? What is the line of work that you are going to do? What is it going to cost? And somehow ask the Minister of Finance—who is also partial to the pan—to give some extra push in this direction, so that the steelpan centre is not competing with everybody else in terms of developing its particular work. So it is something that bears consideration as one of the thrusts in the policy.

Now, both Senators Daly and Shabazz actually referred to something which I call bio prospecting—they do not know the word. We are part of South America and we have a rich flora and fauna and we are sitting in a marine environment that ranges from estuary to blue water ocean. Throughout the world, the big

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pharmaceutical firms are, in fact, bio-prospecting: that is, they are looking at your biota—at what occurs in your part of the world and they will come in here as a tourist and they will collect some specimen—and you cannot stop them—and they will go back to their lab and they will grind it up and extract it and so on, and the next thing you know in five, ten or fifteen years somebody has patented a new drug that may have originated from herbs in our part of the world. So here is another thrust that is so easily identified and the question is: are we doing anything at all about it ourselves? There is a little bit done by Dr. Seaforth.

Mr. President, one of the areas of science that I consider vitally important is, monitoring our environment in the broadest sense, that is, our marine environment; our terrestrial environment and our built environment. Now, we monitor in different ways. The Caribbean Epidemiology Centre (CAREC) does epidemiology. I do not know what the Ministry of Health does in terms of monitoring, but there are cases where the Ministry of Health may be doing one thing, and the Ministry of Agriculture may be doing a related thing. For example, we have in this country the potential for bat transmitted rabies. The Ministry of Agriculture, in fact, tries to control rabies. If we ever had a serious rabies outbreak, it would be the responsibility of the Ministry of Health. Now, clearly, there is need for some thinking, on what do we monitor? How do we monitor it? So these are only three of the things which, I thought, emerged from some of the contributions.

Mr. President, a number of people have raised the issue of incentives. It first came from Sen. Montano but other Senators have mentioned this. Right now, how do we deal with innovation in society? We have prizes awarded—you read a big ad in the newspapers: Prime Minister's Award for whatever it is and what they expect you to do. It is a million dollars they say—not for one prize—but it is a million dollars. What is actually being done is that—this is a so-called incentive—the public is invited to make nominations and then this goes to some sought of committee. The committee recommends and somebody gets an award. This is not really an incentive. A real incentive has to come—it has to be directed. You have to say that you want people to compete for these incentives. Software creation will offer \$100,000 for someone who can create software in a particular area that interests us. Let the people try and then when somebody does it and gets it right, the judges says this is it—like you judge carnival or steelband or anything—and that person gets the \$100,000. This is a real incentive.

Mr. President, the other one that Sen. Montano referred to was the incentives to the private sector. You can have incentives coming from Government; you can

have incentives to the private sector. The question is: what sought of incentives? Does the Government think it ought to give any incentives to the private sector? Private sectors are not going to throw money away on research. They are going to try to minimize—if they cannot get any—expenditure and I think that his point and the point raised by various other speakers was that your incentives can be in the form of tax concessions; or they can be in the form of specific grants. I mean, if you had a computer company in Trinidad that is in the process of producing software, you might arrange tax concessions. So this is one of the areas that I think several speakers have referred to.

3.25 p.m.

Mr. President, going a little farther on to this draft policy, both Sen. Rev. Teelucksingh and Sen. Marshall, amongst others, referred to and identified the issue concerning the communication of results. I think in Sen. Rev. Teelucksingh's case, he was very concerned to find out what was going on with the AIDS Vaccine Committee. This is an important issue. We cannot simply have things go on. The committee has apparently already reported and nobody seems to know. I think Sen. Marshall also referred to this, related to other matters.

Now, Mr. President, I have pointed out in my contribution that I had great difficulty obtaining annual reports. The Ministry of Agriculture, Land and Marine Resources apparently does research at Centeno. There is a Central Experimental Station. I have written to them. I have had no acknowledgement. I have spoken to the Permanent Secretary and he said "Oh, yes. I have told the officers to give you the reports." The report from Centeno is still not available to me. I do not know of what it costs and I do not know what they have done.

Now, how can you continue year after year after year doing agricultural research scientifically and not report to anybody? What on earth are we doing? The Forestry Division—I have not seen their annual report. I did finally get a very pretty Annual Report from the Fisheries Division. This is the first one in several years. It is glossy paper, very pretty, but it is a very poor report, fraught with errors, misspellings and things like that. Is there not any quality control?

So, here we have expenditure in ministries of Government and, clearly, they are not accountable to anybody. I think that is the point that Sen. Rev. Teelucksingh and Sen. Marshall were making, when you assign responsibilities to a particular Ministry, it is the responsibility of the Minister to make sure that that thing is reported on.

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I think Sen. Prof. Spence raised the issue of: What about our parliamentary committees? I think our parliamentary committees really ought to be activated where committees can sit and call in the Ministry of Agriculture, Land and Marine Resources to find out: “You are spending \$20 million a year on research. Where are the results?”

This is a very pressing problem and I think it has to be addressed by changes in the public sector. People ought to be told what is expected. These are the performance targets. This is what you are supposed to do. This is what we expect you to do and if you do not do it, we want to know why.

There are other ways of dealing with it. Because several people have suggested research funds. In fact, Sen. Gangar announced a fairly large fund of about \$50 million which is going to be dedicated to the technology end of it, but there are other areas of scientific research which warrant—

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

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

Question put and agreed to.

Sen. Prof. J. Kenny: Mr. President, it is really quite remarkable that 45 minutes can pass so quickly. [*Laughter*] Anyway, I just need a few more minutes.

One of the very, very important elements of any policy was raised in slightly different ways by Senators Dr. Mc Kenzie, Prof. Ramchand and Marshall. Sen. Dr. Mc Kenzie talked about the curiosity end of it. It is vital that in our society, as we develop, we nurture this natural curiosity that is found in every human being.

We are a consumerist society and one of the problems with this excessive consumerism is that it dulls the mind. I know this from my own grandchildren, not that their minds are dulled, but I know from experience that in the absence of Pokemon cards, Nintendo sets and other trivialities, little children are naturally curious. They naturally explore things and, while I am not arguing that we should stop consumption, somehow we have to find means of keeping this curiosity alive. We should not have our children spend so much of their time on television—the violence—carnival. Well, carnival is all very fine for a brief period, but carnival starts sometimes in November and there is a preoccupation with that kind of thing.

So, as a child developing, there are all sorts of social forces being applied, some which we generate ourselves; others which come from the United States and they numb the creativity. This is an issue which was identified, both by Sen. Dr. Mc Kenzie and Sen. Prof. Ramchand. We somehow have to find the means within the development of our educational system of nurturing this.

Sen. Marshall went on to point out that the greatest return—he knows this; he knows the figures—on expenditure, on education, is on the primary level and somehow we have to see this reflected in our educational system.

One of the points that I had seen in my notes is that I expected to see the Ministry of Education, not necessarily the hon. Minister who is ill, but I would have expected to see some kind of input from education into the development of this policy.

Mr. President, Sen. Nafeesa Mohammed reopened one of the questions which concerned me and this question was: How do we minimize duplication of effort? The question was not answered and I do not know that any one government in one term can, in fact, address this thing, but it has to be addressed because, right now, we have the University of the West Indies, the Fisheries Division and the Institute of Marine Affairs doing so-called research in fisheries. Now, I do not know what is the total cost of this, but you are getting into a million-plus in terms of just the manpower. What are the results of all this research?

I have seen some references in their reports. I have seen some publications from the University and some reports from the Institute of Marine Affairs, but none of this is translatable into serious management of a wasting—of a renewable resource, not a wasting one. Nothing that I have seen is translatable into management of that resource.

Aquaculture has been around Trinidad and Tobago for over 50 years. I am told that expenditure on aquaculture, not currently, but up until about two years ago, amounted to about \$800,000 a year just in the Fisheries Division. Aquaculture research is done by the Institute of Marine Affairs, by the University of the West Indies, by the Fisheries Division and by the Sugar-Cane Feed Centre, yet, we have no commercial aquaculture in Trinidad and Tobago. Why are we spending the money? Should it not be going to development of the Steelband Centre, which is likely to produce some results?

That is an issue that I am glad Sen. Nafeesa Mohammed reminded us of in her contribution, that this is a very important issue that must be addressed.

Mr. President, there was one other issue. It is an issue to which I referred and one which Sen. Gangar agreed with me 100 per cent. We appear, in certain institutions, to have undergone what I call institutional drift, away from its responsibility. I refer particularly to the Institute of Marine Affairs which the hon. Minister of Finance knows—well, he would not know the fine details, but I have read it up—costs a little over \$10 million a year. When you look at their Annual Report, I have not seen a single journal scientific paper, or peer reviewed paper. There are many reports.

Yet, the Institute of Marine Affairs is operated like a business. It is a principal advisor to the Government on marine matters and it operates like a business. It competes with the private sector which pays corporation tax and so forth. What is its income in a year? For spending \$10 million, it gets an income of about \$1 million.

So, here we are subsidizing something which is not at all viable and the really difficult issue is the Institute placing itself in a position where it has obligations to the ministries of Government and when the ministries call for information, their argument is, “This is protected by clients’ relationship.” This is a fact that the Minister knows only too well, that the Institute refuses to give the ministries important scientific information that they produce, because somebody paid for it. It cannot continue like that. It is either you set up a commercial company that does that kind of thing and not have a research institution doing it. The research institution really ought to produce basic science, sell it to people if they want it, and be in a position to advise the Government.

Mr. President, this effectively concludes what I have to say, but I would like to make a genuine offer. There are issues in this country that cross party lines. There are issues in this country that go beyond election years or election cycles. Poverty is one. The environment is one. Technology and research is another.

With my summary of the debate that took place here, I would offer to be party to any informal discussion between interested parties to see if we are in the right direction, following a path of this kind, to see whether we can draft a healthier skeleton of a national policy for science and technology.

This, of course, can then enter the political process and, presumably, as the cycles continue, one day we will see a well-defined goal; we will see a well-defined policy; we will see the specific strategies for meeting these objectives.

Thank you, Mr. President. I beg to move.

Question put and agreed to.

Resolved.

That Government states and elaborates its policies and priorities for the general direction of scientific research and technological development in the country and measures which it might take to ensure more efficient use of resources in the pursuit of these policies.

Mr. President: We will now move on to Motion No. 2. I call on Sen. Prof. Ramchand.

3.40 p.m.

EDUCATION

(PHILOSOPHY AND PURPOSE)

Sen. Prof. Kenneth Ramchand: Mr. President, I beg to move,

Whereas the role of Education in the development of human societies has been recognized in all countries; and

Whereas the Government of Trinidad and Tobago has committed funds to the provision of places in primary and secondary schools for all children; and

Whereas the Government has undertaken to improve the entire education system from early childhood education to the tertiary level; and

Whereas there is by means of the Secondary Education Modernization Programme (SEMP) a special emphasis on the modernization of the Secondary School System;

Be It Resolved that the Government explain its philosophy of education with special reference to the question: "What is Education?" and "What is Education for?"

Mr. President, I brought this Motion because I feel that the nation needs to have a free discussion, a meeting of minds, on a most important subject.

Seconded by Sen. Mahabir-Wyatt.

Question proposed.

Sen. Prof. Ramchand: Thank you, Mr. President—

Mr. President: No, I believe the hon. Senator misunderstood the role of his presentation and he just introduced the topic. I thought when he sat he had completed and he wanted a debate on the question.

Sen. Prof. K. Ramchand: I was in a state of confusion. I thought when I introduced the topic it had to be seconded before I spoke.

Sen. Mohammed: Has he lost his right to speak? Can we ask for a waiver in the Standing Orders?

Mr. President: In the light of the development, I think it would be unfair not to permit the Senator to make his contribution. Perhaps one of the Senators can refer to the Standing Orders so that the Senator would be able to make his contribution.

Sen. Prof. Spence: Mr. President, in the circumstances, may I move that the Standing Orders be waived in order for Sen. Prof. Ramchand to speak on his Motion.

Mr. President: Suspension.

Question put and agreed to.

The Standing Orders are suspended only for the Senator to make his presentation, not for other Senators when they are speaking.

Sen. Prof. K. Ramchand: Thank you very much, Mr. President and thank you, Members of the Senate for waiving the Standing Orders to allow me to speak. The only apology I can give is that I really was not planning to present this today. I thought that there would have been more contributions from the Government side on Sen. Prof. Kenny's Motion and that there would not have been time to introduce my own Bill. I spent much of last week preparing to speak on the Education Bill presented by the Minister of Education. It does not mean that I am unprepared, Mr. President, only that I have had to put bits and pieces together in quite a hurry.

Mr. President, the first thing I want to make clear is that I, for one, am appreciative and I am sure the country as a whole is appreciative of the fact that the Government is going to great effort and is spending a lot of money on education. The Government has said that it regards education as crucial to the development of our society and it has not only said so, it has allocated funds to develop education.

The plans for education, again, are commendably comprehensive. There is a wish to cover the entire spectrum from early childhood education through primary, through secondary and through tertiary. Having followed the main spine, the Government is aware of adult education, special education and of the need to take care of the dropouts and those fall between the lines of the system. Mr. President, nothing that I say in this debate, is to be construed as a criticism of the intentions of the Government and of their putting our money where their mouths are.

Mr. President, I hope to save the heavy and detailed stuff for later on, because I do not want to use this opportunity to go into too much analysis. What I am expecting is that I will raise certain questions and touch on certain issues. I would like the Government to behave a little differently on this Motion, from the way they behaved on Sen. Prof. Kenny's Motion.

There are two fundamental questions that are being raised which the Senate, the country and I would like to know about. The Government is doing all these things for education. What is their philosophy of education? What is education? What is the Government's answer? What is their thinking on this question: what is education?

Secondly, having said what education is, a related question follows; what is it for? Why is the Government educating people?

Mr. President, I do not wish to hear from the Government's side, a catalogue of what they have done. I think they tell us about this often enough. I am going to tell the Senate about it too. While I tell the Senate about it, I am going to raise one or two questions. I do not wish minister after minister or speaker after speaker, from the Government's side to get up and reel off how much was spent, how many places were created, how many schools were refurbished, how many school meals, and how many computers were put in the schools *et cetera*. If they tell us that, I want to know why? How do their actions or proposed actions imply a philosophy of education? How does their notion of what education is get enacted in the actions that are being carried out or that are being proposed to be carried out?

3.50 p.m.

Mr. President, I cannot go into the minds of the Government, and they certainly will not let me sit in Cabinet, so this is the opportunity for the Government—[*Laughter*—]to tell us what they think among themselves; what they have formulated, because I think there is enough goodwill in the country on the question of education for people to want to understand. If you are spending so much money, you cannot be bad. You are spending money because you think education is important. All the parents in the country think that education is important; so we want to know what is education and what education is for.

Let me say, in a schoolmasterly or professorial way, that I am expecting the candidates on the Government side, especially, to address the questions directly and to suggest what their policy means. The mover of the Motion expects major statements from the Minister of Education, the Minister of Energy and Energy Industries and other Members involved in formulating or implementing education

policies. To put it like this is already to suggest an uncertainty in my mind. Sen. Gangar, who is leaving, seems to be developing a system of tertiary education out of the Ministry of Energy and Energy Industries and the Minister of Education at least according to the Education Act, is also interested in tertiary education.

The country would like to know: what is the relationship between the initiatives that are coming from the Ministry of Energy and Energy Industries and the initiatives coming from the Ministry of Education, and what sort of contact and correspondence there is between the two sets of initiatives. Can we be sure that they are supplementary and are part of a larger vision?

Mr. President, I do not intend to put out my blueprint at this stage, because I do not want to give the Government anything to rebut. They are not here to rebut; they are here to tell us. When they tell us, we might rebut. When they tell us what their thinking is, then the rest of the Senate would reply to that thinking and those policies. So I really do hope that the Government will take this Motion seriously and that Senators connected with education will speak early in the debate, so that the rest of us will have a chance to think about what they have said and make suggestions, proposals and even criticisms.

I think it is unfortunate that Sen. Prof. Kenny's very important Motion was not treated in the way I am proposing that this one be treated. I have to congratulate him on the agility of mind and his intellectual power, that he was able to read up all the contributions and in his winding up come up with a kind of blueprint. I do not really wish to be put under such strain. I do not want so much homework. The country does not want so much homework. Here is a golden opportunity. I really wish the Leader of Government Business would tell the speakers on the Government side, "Say what you like." Let this be a free discussion, say what you like. If the Leader of Government Business says that, Mr. President, I promise that whatever the vote, I would vote for them so they cannot lose if it comes to a vote. There would not be a vote that could embarrass anybody.

Sen. Mark: "Is elections yuh talking about?"

Sen. Prof. K. Ramchand: "No; I cannot promise that. I vote NJAC every year". [*Laughter*] Even if the Leader of Government Business does not say, "Say wha yuh like," I do hope that Government Senators would say what they like. I now want to offer some general pointers.

Mr. President, nowhere in any of the plans and statements of the Government can you find either a direct statement of philosophy or a set of statements which

you can put together and construct into a philosophy. If we recognize that education in every country is tailored, at least, in part to deal with specific needs; if we recognize that those who control education sometimes—let us recognize it is a kind of distortion—select from what they can do under education, if they select a set of priorities from the list of possibilities, it is good for us to know that they know what is the complete list that they were selecting from, and when they select their priorities they know how to compensate for the aspects of education which are not being developed.

They must agree that you want a complete education, but you are saying that in certain circumstances you are being forced to direct education to serve some needs that have very historical origins and further, that and the given moment requires that we do X, Y and Z. That this is not everything that education means, but it is what we have to define as education for the next five years while we try to achieve certain goals that the whole society recognizes that we need to achieve. But if you do not declare a philosophy of education; if you do not show an understanding of all the things that are involved in education, then you would be giving the impression that what you are pushing and what you are backing is all that there is in education. That is a kind of censorship; that is a kind of repression; that is a kind of selling the society short, because you are peripheralizing many concerns which may be important but which, at the given moment, do not suit the Government's agenda or policy for the development of certain aspects of the society. I think it is very important that we know that the Government has a sense of all the things that are involved in education and that they are making rational choices about the things they wish to emphasize or foreground.

Mr. President, education does not take place in a vacuum; it takes place in a society, and while the educational provision is being made, we have to look at what is going on in the society. Look at all the wonderful things that we are doing about education. I am sure you have noticed that although we are doing all these wonderful things or we want to do these wonderful things in education; we still have crime, violence, victimization of women, children and old people; disorder and disrespect. In many ways, even while we are spending millions and millions of dollars on education and training, our society seems to be in crisis.

There is an episode in a novel by Vidya Naipaul where a man who is selling oysters—or as they say “oystears”—puts a tin cup on a wall. He is going mad because he is selling oysters down by Curepe or somewhere every day and he is seeing the mad house around him. I think he eventually cracks. So he puts two condensed milk tins on a post when he goes home and he brings his gun. He is not

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a man who can afford target practice usually but he comes out very serious and says, "Come boy, watch," he calls the wife and says, "Watch," bang, he shoots down the first tin; bang, he shoots down the second tin. The son asks, "Wha yuh doing pa?" He answers, "What ah doing? Ah shoot work; ah shoot ambition, dey dead."

We are in a kind of society where people are shooting work and ambition. People are shooting work and ambition while we are spending money on education. Mr. President, what do you think of a young man at the top of his profession, doing something that God called him to do, something that he was born to do, just losing interest and saying, "I not playing cricket for a year or three months; I not playing" I do not think any of the explanations are really explanations. People tell me, "No, he want to play carnival." The fact that he wants to play carnival instead of playing the thing that God sent him here to do means that something is wrong in the atmosphere.

I am not taking his explanation that playing cricket stresses him out. When you stress me out, I go and read; I go and do what I was born to do. I was born to read books, to think about books and write about books, and if you are stressing me out, I go and read books. The thing that I was born to do cannot stress me out. If I say, "I am stopping reading," you should be as shocked as if David Rudder or a bird says that he is stopping singing. I am shocked that Lara said he stopped playing. When something like that happens it is a portent; something is rotten in the state of Denmark. There is something in the atmosphere that is sapping these people who can do things.

I do not want to say "dat is why Kitch or the Archbishop died or that is why Beryl died. I do not want to say that is the reason that there is something in the atmosphere; that they know that a change is going on and they are now gods in different era. I do not want to say that, but I know it is a portent. If a man who was born to play cricket, gets up and says he is not playing cricket, or if David Rudder say he is not going to sing or if I say, "I not going to read," something is wrong. I feel that part of the reason that something may be wrong, has to do with the failure of education and our failure to understand what education is about.

Education is about giving people the atmosphere and environment to do what they came in the world to do; to fulfil themselves; to be secure; to be happy; to be doing in the world. That is what education is for: to produce educated people who do the things that they came into the world to do. If education is not there to produce educated persons and if it is not producing educated persons, then something a wrong.

Mr. President, I was in an aeroplane and Archbishop Anthony Pantin, who I had never met in my life, who I had never talked to in my life, saw me and he came and sat beside me. He talked to me about the Senate, and I did not know that he knew I was a Senator. He talked to me about literature; I did not know that he knew anything about literature; I did not know that he knew I was involved in literature. Then he told me a joke. He asked, “Yuh want to hear a joke?” I said, “Well, yes,” and he told me the joke.

He did all of this in a Trinidadian tone of voice; a language which told you that this was an educated citizen of Trinidad and Tobago who knows himself and whose language reflects self-knowledge and confidence. This was a man who knew himself so well and had such self-confidence that he did not sit and say, “I is the Archbishop, he has to come and talk to me.” He did not say, “I is the Archbishop, I cyar make a joke.” A man who obviously reads the newspaper; so that is an educated man. That is the kind of person that you want education to produce.

You want education to produce persons like Beryl Mc Burnie; a woman who had been dancing for more than 50 years. The other day I went to a lecture by an American who is studying calypso. He was doing a lecture on calypso in American movies of the 1930s and 1940s, and there was Beryl. He showed the clips; there was calypso and there was Beryl dancing.

4.05 p.m.

A woman who mastered her craft or art and came back to the community and gave of that craft and art and of herself to the community; an educated person and an educator. A woman of culture, a woman of expertise, one of the finest representatives of the beauty and the movement and the mind of a particular civilization.

Mr. President, education—whatever else it may do—produces educated persons of the type like Archbishop Pantin and Beryl Mc Burnie. There are many others, but I just take the opportunity to pay tribute to just these two in this Motion. So we really have to ask: what is education? I want to introduce a little diversion by reading from a text that everybody knows, or has heard about, called *Hard Times* by Charles Dickens. Everybody gets vex when I say, when I retire—I do not know when I would retire, because I give up a work, and I have more work than ever—I am going to read everything Dickens has ever written all over again.

Hard Times is a book that is in part about the trade union movement, and part is about education. I want to read an extract from the second chapter called

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“Murdering The Innocents”. It is a section that shows an attitude to education that we do not want, but one which still exists in our society and which can help to murder our society. The man speaking at first is the schoolmaster, Thomas Gradgrind—that is the great thing about Dickens, when he gives a character a name, you will know—Thomas Gradgrind.

“THOMAS GRADGRIND, sir. A man of realities. A man of facts and calculations. A man who proceeds upon the principle that two and two are four, and nothing over, and who is not to be talked into allowing for anything over. Thomas Gradgrind, sir—peremptorily Thomas—Thomas Gradgrind. With a rule and a pair of scales, and the multiplication table always in his pocket, sir, ready to weigh and measure any parcel of human nature, and tell you exactly what it comes to. It is a mere question of figures, a case of simple arithmetic. You might hope to get some other nonsensical belief into the head of George Gradgrind, or Augustus Gradgrind, or John Gradgrind, or Joseph Gradgrind (all supposititious, non-existent persons), but into the head of Thomas Gradgrind—no, sir!

In such terms Mr. Gradgrind always mentally introduced himself, whether to his private circle of acquaintance,* or to the public in general. In such terms, no doubt, substituting the words ‘boys and girls’ for ‘sir’, Thomas Gradgrind now presented Thomas Gradgrind to the little pitchers before him, who were to be filled so full of facts.”

Thomas Gradgrind, a mechanical man whose vision of education is that the children are little pitchers out there and you have to fill them up with facts.

Mr. President, I am sure that you would agree that is not the system of education, or the attitude to education that you would like to see in your society. I want to leave that little excursion and return to look at the Government's provision for education, and as I do so, to suggest or raise some of the questions people, who are wondering what is education and what is it for, are bound to raise.

Let us begin by noting that in the *Public Sector Investment Programme 1999—2000* under Education and Training, there is an allocation of \$134.8 million or 12.3 per cent of the overall PSIP. I am not going to deal with all the questions which arise, but in the end, and perhaps in my winding up, you will see why I have misgivings about talking about education as an investment, and why I am not completely happy with the blurring of the distinction between education and training, the blurring which is implicit in yoking them together as education and training.

If one talks about education and training, it means that in your mind, you do not want a separation, you have a conjunction joining them. Well, I do not want a conjunction. Education is something very large, very important; training is something very large, very specific, very important, and once you know the difference between education and training, you will never be in danger of short changing education in the interest of just training. Not only that, but you will know that when you are giving training, even if you are committed to training, you will try to educate at the same time those fellows whom you are training. In addition to teaching this man to rivet things, read a poem for him. If you do not think of education and training as separate, you might end up training people without educating them, and you could even end up educating people without training them.

One must know that there are two components and one must have respect for both. There is this large sum of money devoted to education and this is an excellent thing, but when one looks at how the money is being spent—incidentally, I am giving the catalogue here, because I do not want all of them to get up and give the catalogue. I am saying what the Government is spending on education and what it is doing and we do not want too much repetition.

The programmes involved are: a programme called IBRD, or the World Bank assisted fourth education programme which is directed towards the construction and outfitting of about 29 primary and two secondary schools. This programme is also involved in the creation of early childhood care and education centres. It is also concerned with the training of principals at the University of the West Indies Faculty of Education. It is also involved in providing free textbooks to the schools. But it is essentially a primary school building programme. Then there is an IADB loan of \$105 million for Secondary Education Modernization Programme called (SEMP). The purpose of this programme is to produce universal quality secondary education and to build 20 new secondary schools providing about 2,000 new places in secondary schools by September 2000.

Mr. President, I have a problem just at this point. You are spending so much money on primary schools, but I do not know what is your idea of the primary school. What do you think should happen at the primary school? If you take the Common Entrance Examination—I hope nobody calls me a fool or worse—and throw it off and then bring an exam which is not as good as the Common Entrance Examination, technically, Mr. President, any little child at the age of 11 who has to write an exam which decides whether he is going to junior secondary or Presentation College in Chaguanas, is bound to be stressed out, and the parents

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would be even more stressed out. Any exam, any exam! So do not tell me you have removed the Common Entrance Examination. At least, with the Common Entrance Examination some of the idiots in Barbados who are correcting it know how to “tick box”. Now these children are writing essays that must be sent to Barbados for people to mark, introducing a whole set of subjectivity and ignorance into the bargain.

Mr. President, I had heard there was a thing called a continuous assessment programme where the teacher who teaches the children is following not only the academic development of the children, but the personhood of the children—how they react to adults, and how they react to their friends. This teacher who is *in loco parentis* and who is concerned with the whole development of the child, I thought that this was the person who would say: he is not so bright in maths, or did not work as hard as he should, but he is a bright boy, or she is a bright girl. She is a good person, although she does not do maths, she sings wonderfully; or he plays nice pan. It is true we are not examining them. We do not have any exam to test how he or she can play pan, sing a song, dance, act in plays, or win the 100 metres. We do not examine all that, but this is a child who is developing as a real and rounded person. I do not want to take that little child at age 11 and tell him write an exam, and then I decide what happens to him for the rest of his life. A child like that should not have an exam, and people should be thinking about what we are doing in our primary schools. When the child comes there at age five or six and you keep that child for five or six years, what are you exposing the child to? Not only what subjects—there is a lot of nonsense where it is like you are under a mango tree and you are running for one mango and the breeze blows, another one falls, you drop that one and run over there for the next one, but changing subjects in the syllabus every year because you feel every time something gets important you have to put a new subject in the syllabus, as if the learning experience of the child at this period in his or her life is a cramming of subjects in a syllabus.

4.20 p.m.

The learning experience of the child is the experience of the child in an environment that introduces him to necessary and basic facts; introduces him to doing things; discovering things; expressing himself; being himself or herself. That is what the primary school experience is about. I do not care what it is in other countries. That is what it has to be in our country.

If Sen. Cuffy Dowlat agrees with that, I look forward to her exposition about primary schools. But I see nothing in the provisions that are being made to imply

that there is such a vision of primary school education. In fact, the replacement of one examination by another is the thing that indicates that there is not any real new thinking going on about the nature of primary school education.

Mr. President, if you say that you are providing secondary school places for every child, for all the children who come through the examination, and your examination is not one which says the pass mark is 50 or the pass mark is 40. If you do not have standards about what constitutes a pass, and you are just providing places, on the basis of the examination, I feel you are contradicting yourself.

I would like a system of primary schools where we monitor the development of the children and when they are ready to go to secondary school, the principal and the teachers say, right, this child is ready. What we are doing—I do not know if it is even the beauty of numbers. Mr. President, let me give you these figures. In September 1999, 21,500 children entered the secondary school system. One third—I am not making this up—of the children got less than 40 per cent of the marks available for language arts. One third of them got less than 40 per cent! And when you go to mathematics, one-fifth of them got under 40 per cent. So Mr. President, you are pushing into the secondary schools, a whole set of children who are not ready, academically, for secondary schools. That is the kind of question I am asking.

If you are spending money on the primary and secondary schools, could we have some explanation of the philosophy behind it? How important do you consider the primary schools in the whole system? And should the primary schools be subject-oriented in the way the secondary schools and, maybe, even tertiary education is subject-oriented. What do we want to do or invent for our primary schools? Before you implement the thing, do you think it would be a good idea to ask the people of the country; the parents; the teachers, what they think would be the kinds of things that you would like to see happening at the primary schools?

I really would like to understand how the Government sees the primary school, and how it sees the education, literally, Edu Co, the leading out or development of the inner world of all the possibilities of the child. How do they see the education of the child? Do they believe, understand, or suspect that if you do not do a good job at the primary school level, you are creating warped and imperfect people with whom you will have more and more difficulty, trouble and expense as you go along. It is fundamental. We have enough secondary school places. Just go back there and look at primary schools.

Now, I am not saying do not spend the money on secondary schools, I am just saying, as a matter of priority, let us know that you understand that the base and the foundation of the personhood of your citizens, the base and foundation of the personhood of your citizens is laid in the primary schools. More than in many other countries, it is laid in the primary schools because so many of our people live under the poverty line and do not have homes and a home environment that can help to give the atmosphere of emotional sustainment, conversation and co-operation that you can get in a primary school devised to speak to the needs and the economic facts of our society.

Mr. President, I would leave that for now. That is a question I would like to hear about the primary school. The secondary education modernization programme is a very interesting programme. In 1968, when the then Government introduced Junior Secondary Schools and the schools went from one to three; then the ones that went from four to six. The intention was that every child in the country would go to a Junior Secondary School, and the expectation was that from there they would go to the fourth and fifth form schools. The expectation after that was that there would come a stage when you could join these two schools up—I think in Rio Claro, they have joined a Junior Secondary and a Senior Comprehensive to make it a five-year school—and make five-year schools. So five-year schools were always implicit. Since 1968 the five-year school was implicit in the system.

Of course, we know that it was frustrated by the prestige schools, who would not reduce themselves to three-year or five-year schools, who wanted to remain prestige schools. You cannot fight the denominations; the denominations are like hormones, the only power you have over them is a little economic power—you could tell them you are not giving them the money—but the prestige schools sabotaged the educational system by refusing to co-operate with the plan that was proposed. There was no reason for them to refuse to co-operate they could have kept on doing what they wanted to do, but I do not know why. On the Government side there was not enough forceful implementation, so everybody just let the matter drop.

I am very happy to see that one of the features of the secondary education modernization programme is the notion that we should have five-year schools for everybody. That is wonderful. If you have these 5-year schools you would have a whole question of what do we do in those five-year schools? Prof. Kenny just gave a blueprint, which he said that a foreign consultant would get \$50,000 for. So when people “shoo-shoo” to me, saying, “Ken boy, you know there are men in

Kapok writing syllabus for the Junior Secondary School.” I said, “Where they came from?” He said, “overseas”. And I am right here? And we have people right here who could do it. What do they know?

The conditions of your loan tell you, you have to bring some foreign expert to write the syllabus. So you are coming with a wonderful idea to have five-year schools but you are undoing your initiative. You are losing the opportunity created by your money and your initiative because you borrow money and you had to pay their consultants to come and do the work for you.

4.30 p.m.

Mr. President, this is an opportunity. We are borrowing the money and we are paying the interest. You cannot tell me I have to hire your people. Charge me more interest. Give me freedom to do what I want. I will borrow less and pay more interest and do what I want, but that is a matter of policy.

The five-year school is an opportunity for us to create equity in the system. We should make sure that every school has the same quality of staffing, the same facilities—bathroom, whatever—the same availability of books, all linked by computers, *et cetera*. Make sure that the plant is exactly the same. Make sure you embark upon teacher training so that every school will be staffed with good, respectable staff, people who have the qualifications and who have shown in practice that they can teach and people who are well enough paid that they are motivated to teach. So you have a chance, if you begin to spend money on the secondary system, to really think the thing.

However, when I look at the Secondary Education Modernization Programme, I do not see any theorizing of this and I do not see the Government saying—well, I suppose, Government. I do not know, Mr. President, maybe we fascists—I used to be a communist. Now I may be a fascist for this discussion—say, “Alla-all-yuh have to be five-year schools and alla-all-yuh getting the same facilities and alla-all-yuh going to get the same staff and we are going to work out a syllabus and this syllabus will have a core component”. Let us say you are doing nine subjects in the school, everybody will be doing these four subjects. It is not exactly like the same book, right. [*Laughter*]

We will have a core of subjects. There might be six core subjects and, say, of the six core subjects you must do four. Then you have a whole range of options in the secondary school. You do your four core subjects that guarantee basic literacy and basic cultural self-knowledge. This is where you do your West Indian history, your cultural studies, where you do your West Indian language studies, your West

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Indian literary studies, *et cetera*. This is your core syllabus where you learn the history of science and the history of this, and then you have a whole set of other subjects that speak to the aptitude and interests of those nice children whom you have developed in the primary schools. If you want them to take pan as the subject, right. Another one wants to play the sitar, sure, it is there. It is on tap. Once you do your four core subjects you could choose from the other four.

Some schools cannot provide all the other 12. They might say, “Well, of the 20 non-core subjects in the system we only have the staffing to do 11”, but there is a choice. So, Mr. President, I do not see that kind of theory or that kind of notion but I think that if the Government is spending the money and the time, the opportunity certainly exists for us to develop a five-year curriculum that would not only teach our children who they are, where they come from and where they want to go, but would equip them technically to produce software, to do e-commerce, to do anything else, because we have the core subjects and we have the choice subjects for them to develop their aptitudes.

Mr. President, it follows from this, if you are going to have this kind of fifth-form school, you now have the opportunity to do what people like Singapore do, to look at your sixth form in a different way. In Singapore the sixth form education is pre-university education. So whether you call them sixth form colleges or pre-university institutions, you have a chance now to reconceive the sixth form. So I do not want to labour the point and say, “You are spending money on primary, you are spending money on secondary, think about it”.

Think about how you integrate primary with secondary, how primary would flow into secondary. Think of all the problems there are with lack of motivation. Think of the social problems caused by the shift system. Think of the underprepared people who come into the system. Think about these things and work out some sort of coherent and co-ordinated plan and vision to deal with the education of the young.

I come to tertiary, Mr. President. Again, all kinds of wonderful things are happening in tertiary. We hear about a ghost college called the community college. We hear about a thing called COSTAATT, the College of Sciences, Technology and Applied Arts of Trinidad and Tobago. We hear about the National Science Centre. We hear about an information technology unit at the Ministry of Education. We hear of Senator Finbar Gangar’s university, his national skills development centre. I want to know, who guarantees the standards? Who looks at what is being done? Who is measuring it? Who is telling you what these people are capable of when they leave?

Who is helping to create a respect for technical subjects? Mr. President, at the time of the Negro education grant in the 1840s, when slavery was legally abolished and steps were taken to—so much compensation was paid to the planters that it was felt that it would look bad if something was not done for the victims. They said, “Okay, we will give them education. We could teach them the English language, whiten them up a bit. We go gi dem Christianity, sweep out all those heathen African, Hindi and Indian religions that they have and we go turn them into—I mean, they are hopelessly black but we will try to make them into little white boys and girls as far as possible”.

So the system of education was designed to perpetuate colonialism but it still had prestige. People wanted it. However, there was another school of thought which said, “No, teach them agriculture. Teach them something technical to work in the fields”. Of course, we resented that. “Whey, we just get freedom and you want us to go into agriculture?” So we thought that, just like birth control was an attempt to wipe us out, technical education was an attempt to keep us in slavery and on the land. So a disrespect for technical education was there at the very beginning and that disrespect has continued.

So that today when somebody tells you he has been to a polytechnic, he has a B.Sc. from a polytechnic, he feels, “Well, that is not it, go UWI and learn nothing and you get a B.Sc. from UWI, that is much better than a B.Sc. from a polytechnic”. What we want to do, Mr. President, is to look at tertiary education and understand that there are traditional universities and there are new universities responding to modern needs and modern developments and whose curricula reflect the age of science and technology and know that in those institutions, although the bias is towards science and technology, there is still enough of a traditional type university education in the humanities and the arts and culture.

So when you graduate with a degree from a polytechnic or a technical university, your degree is just as respectable as the degree from the conventional university. Those of us who have been arguing for a technical university of Trinidad and Tobago, Mr. President, we are arguing for it for that particular reason, to bring that kind of self-respect to the degree and to the activity, but we are also asking for a hierarchy where people know that this technical university has external examiners and has relationships with other technical universities all over the world and it maintains standards, so that when you graduate from this technical university your degree would be respected by other technical universities all over the world. Therefore you, the technical university in your own country, will now become the mentor of the other technical educational activities that are going on in your society.

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So again, Mr. President—[*Interruption*]

Mr. President: Senator, I just want to advise you that you have five minutes to complete and there is no extension when making a presentation.

Sen. Prof. K. Ramchand: Five minutes now and five minutes after tea?

Mr. President: Five minutes remaining from your 60 minutes.

Sen. Prof. K. Ramchand: Right, Mr. President. I have tried to look at the Public Sector Investment Programme with a view to seeing some of the things that are being done by the Government, to applaud the intention but to ask them to answer certain questions that I have raised.

I did want to, Mr. President, very quickly, make a passing reference to the “Asian Tigers”. The world is impressed by the role that education has played in the countries known as the Asian Tigers, namely Hong Kong, Taiwan, South Korea and Singapore whose rapid growth began in the mid 1960s and whose GDP grew at an authoritative rate achieving in 11 to 15 years what countries like Britain took; 58 years—USA and Japan; 34 and 38 respectively—to achieve. These countries, within 12 years, did what all those other countries did and they did it because they took education as an instrument of economic policy.

They took the ordinary human being who has a wife and a child and said, “You are an economic resource and an investment. We are developing you to bring in more money to the economy”. [*Interruption*] No carnival at all. But it is all right, they have people who want to be that. Those countries, if you look at their policies, although for them education can be used to bring in money so that their people are not labourers, their people are technical people who can bring in money and enrich the economy and raise the GDP.

When you look at their educational policies, especially a country like Singapore, you know that they are also aware of the other sides of education, that you make a kind of travesty of education. You take the human person and turn him into an economic tool or instrument to advance the economy. When you advance the economy, however, and you get the money, you use that money to provide other kinds of education than the technical education that you are giving those human resources. So the human being becomes an economic resource, but that is only a sacrifice we make. Once the money comes in, the educational system does all the other things.

So Mr. President, I did want to go into the education of the person and education as what I would call political education, but I think I am going to wind

up just to say that it is very necessary at this time for education to be seen as an instrument for social and economic development.

However, we would like to see an expression of a philosophy or vision of education which recognizes that is a choice we are making here and now but that we are taking steps to make sure that the other uses of education are also served within the system. Thank you, Mr. President. [*Desk thumping*]

ADJOURNMENT

The Minister of Public Administration (Sen. The Hon. Wade Mark): Mr. President, before moving the adjournment of this honourable Senate, may I inform hon. Senators that next Tuesday we are going to be dealing with Bill No. 6 on the Order Paper as No. 1; Bill No. 7 as No. 2; Bill No. 8 as No. 3 and we are going to Bill No. 5 as No. 4. In other words, the Geographical Indications Act will be No. 1; the Plant Protection Act will be No. 2, then we will deal with, an Act to amend various Acts as No. 3 and the final one we shall tackle will be regulating dangerous dogs in Trinidad and Tobago.

So, Mr. President, I now beg to move that the Senate do now adjourn to Tuesday, April 11, 2000 at 1.30 p.m.

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 4.45 p.m.