

**THE**  
**PARLIAMENTARY DEBATES**

OFFICIAL REPORT

IN THE FIRST SESSION OF THE EIGHT PARLIAMENT OF THE REPUBLIC OF TRINIDAD  
AND TOBAGO WHICH OPENED ON OCTOBER 17, 2002

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**SESSION 2003**

**VOLUME 2**

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**SENATE**

*Tuesday, January 21, 2003*

The Senate met at 1.30 p.m.

**PRAYERS**

[MADAM PRESIDENT *in the Chair*]

**LEAVE OF ABSENCE**

**Madam President:** Hon. Senators, I have granted leave of absence from today's sitting to Sen. Christine Kangaloo.

**SENATOR'S APPOINTMENT**

**Madam 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. JOAN HACKSHAW-MARSLIN

WHEREAS Senator Christine Kangaloo is incapable of performing her duties as a Senator by reason of her 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, JOAN HACKSHAW-MARSLIN, to be temporarily a member of the Senate, with effect from 21st January, 2003

*Senator's Appointment*  
[MADAM PRESIDENT]

*Tuesday, January 21, 2003*

and continuing during the absence from Trinidad and Tobago of the said Senator Christine Kangaloo.

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 20th day of January, 2003."

**OATH OF ALLEGIANCE**

*Sen. Joan Hackshaw-Marslin took and subscribed the Oath of Allegiance as required by law.*

**CONSTITUTION (ELECTION OF PRESIDENT) BILL**

Bill to provide for the extension of the period during which the election of the next President shall be held, brought from the House of Representatives [*The Attorney General*]; read the first time.

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

*Question put and agreed to.*

**PAPERS LAID**

1. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the North West Regional Health Authority for the period December 19—31, 1994. [*The Minister in the Ministry of Finance (Sen. The Hon. Conrad Enill)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Sangre Grande Regional Corporation for the year ended December 31, 1997. [*Hon. C. Enill*]
3. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Tunapuna/Piarco Regional Corporation for the year ended September 30, 1999. [*Hon. C. Enill*]

**ORAL ANSWERS TO QUESTIONS**

**Water and Sewerage Authority  
(Status of Consultants)**

4. **Sen. Wade Mark** asked the Minister of Public Utilities and the Environment:

Could the Minister provide this Senate with the following:

- (1) A detailed list of consultants employed by the Water and Sewerage Authority (WASA) during the period January 2002 and the present time and continuing; and
- (2) The consultants' responsibilities and duties for the same period?

**The Minister of Public Utilities and the Environment (Sen. The Hon. Rennie Dumas):** Madam President, could the answer to question No. 4 be deferred for a period of two weeks?

**Sen. R. Montano:** This is an abuse! This is an abuse!

**Sen. The Hon. R. Dumas:** Madam President, the information requires verification.

**Sen. R. Montano:** He cannot make a speech now. This is an abuse! This is an abuse!

**Madam President:** Mr. Minister, you asked for a two-week extension the last time and the answer is due today. [*Desk thumping*]

**Sen. The Hon. R. Dumas:** Madam President, the answer given by a minister to the Parliament requires verification, so that we do not mislead the Senate and we give as complete a response as possible to what is required of us. I find myself in the position that a complete answer is not available to me and, therefore, not available to the Senate on this occasion. It is in that context that a deferral is requested or required.

**Sen. Mark:** Madam President, as you would recall, these questions have been on the Order Paper for roughly two months or more. As you would know, when the questions were last raised, on December 10, 2002, we were told that in two weeks' time we would get a response.

**Madam President:** I agree that the answer is due today, however, we have an explanation from the Minister and I am wondering if the Minister could bring us the answer next week.

**Sen. The Hon. R. Dumas:** Madam President, I would be pleased.

**Madam President:** Ladies and Gentlemen, we will have the answer to that question, on the promise of the Minister, at the next sitting.

#### **Water and Sewerage Authority (Details of Expenditure)**

**5. Sen. Wade Mark** asked the Minister of Public Utilities and the Environment:

- (a) Could the Minister provide to this Senate, details of expenditure incurred by the Water and Sewerage Authority (WASA) to host a function to formally welcome the new Chief Executive Officer of WASA, Mr. Errol Grimes?
- (b) Could the Minister state whether any other agencies were involved in underwriting the cost and if so, could he state the names of the agencies?

**The Minister of Public Utilities and the Environment (Sen. The Hon. Rennie Dumas):** Madam President, unfortunately, for question No. 5, I find myself in the same position. I have to ask for a deferral of one week, as was requested for question No. 4.

**Sen. R. Montano:** This is an abuse!

**Sen. Mark:** I do not know if the WASA management is misleading the Minister or hiding information from this Senate, but this is overbearing.

**Madam President:** The question is that the answer to question No. 5 be deferred for one week. At the same time, I should put that the answer to question No. 4 will also be deferred for one week.

**Sen. Mark:** Could we have the questions one after the other?

**Madam President:** All right.

*Question, on No. 4, put.*

*The Senate divided: Ayes 15 Noes 15*

AYES

Saith, Hon. Dr. L.

Yuille-Williams, Hon. J.

Morean, Hon. G.

Joseph, Hon. M.

Montano, Hon. D.

Enill, Hon. C.

Gift, Hon. K.

Manning, Hon. H.

Chin Lee, Hon. H.

Dumas, Hon. R.

Titus, R.

Abdul-Hamid, M.

Ramroop, S.

Persad, Pundit M.

Hackshaw-Marslin, Mrs. J.

NOES

Mark, W.

Baksh, S.

Kernahan, Dr. J.

Montano, R.

Seepersad-Bachan, Mrs. C.

Smith, A.

Mc Kenzie, Dr. E.

Ramchand, Prof. K.

Deosaran, Prof. R.

King, Mrs. M.

Quamina, Dr. D.

Thomas, Amb. C.

Seetahal, Miss D.

Anmolsingh-Mahabir, Mrs. P.

Khan, Bro. N.

**Madam President:** Senators, under the circumstances where it is impossible to have an answer today—the Minister simply does not have the answer—I will, therefore, have to vote with the Government that we defer the answer for one week. The answer is deferred for one week.

*Question, by leave, deferred.*

*Question, on No. 5, put.*

**Madam President:** I think the ayes have it.

**Sen. R. Montano:** [*Shouting*] No! The ayes definitely do not have it. No! No! No!

**Madam President:** Sen. Montano! If you wish for a division, you can ask for it without behaving in that manner.

**Sen. R. Montano:** And you, Madam President, must abide by [*Inaudible*]

**Madam President:** Will you please sit down!

**Sen. R. Montano:** Division!

**Madam President:** We will have a division.

*The Senate divided: Ayes 15 Noes 15*

AYES

Saith, Hon. Dr. L.

Yuille-Williams, Hon. J.

Morean, Hon. G.

Joseph, Hon. M.

Montano, Hon. D.

Enill, Hon. C.

Gift, Hon. K.

Manning, Hon. H.

Chin Lee, Hon. H.

Dumas, Hon. R.

Titus, R.

Abdul-Hamid, M.

Ramroop, S.

Persad, Pundit M.

Hackshaw-Marslin, Mrs. J.

NOES

Mark, W.

Baksh, S.  
 Kernahan, Dr. J.  
 Montano, R.  
 Seepersad-Bachan, Mrs. C.  
 Smith, A.  
 Mc Kenzie, Dr. E.  
 Ramchand, Prof. K.  
 Deosaran, Prof. R.  
 King, Mrs. M.  
 Quamina, Dr. D.  
 Thomas, Amb. C.  
 Seetahal, Miss D.  
 Anmolsingh-Mahabir, Mrs. P.  
 Khan, Bro. N.

**Madam President:** Ladies and Gentlemen, once more we have a situation where there is a tie. Since the Minister does not have the answer, and I cannot see that he is going to have the answer for this sitting, I will, therefore, have to uphold the request that the question be deferred for one week.

*Question, by leave, deferred.*

**Water and Sewerage Authority  
 (Details of Salary Structure)**

- 6. Sen. Wade Mark** asked the hon. Minister of Public Utilities and the Environment to provide:
- (1) Details of the new salary structure and other allowances for the new Chief Executive Officer, General Managers and Deputy Senior Managers of WASA?
  - (2) The salary and other financial arrangements for previous managers of WASA?

**The Minister of Public Utilities and the Environment (Sen. The Hon. Rennie Dumas):** Madam President, I beg to move that the answer to question No. 6 be deferred for a period of two weeks.

*Oral Answers to Questions*  
[SEN. THE HON. R. DUMAS]

*Tuesday, January 21, 2003*

By way of explanation, the second part of that question requires quite an extensive search for all previous managers' salaries. It is in that context that I ask for a deferral for one week.

**Madam President:** Mr. Minister, this was one of the questions deferred from the last sitting, for two weeks. I must say that we are being tried here in the Senate by these requests for deferrals.

*Question put.*

*The Senate divided:* Ayes 15 Noes 15

AYES

Saith, Hon. Dr. L.

Yuille-Williams, Hon. J.

Morean, Hon. G.

Joseph, Hon. M.

Montano, Hon. D.

Enill, Hon. C.

Gift, Hon. K.

Manning, Hon. H.

Chin Lee, Hon. H.

Dumas, Hon. R.

Titus, R.

Abdul-Hamid, M.

Ramroop, S.

Persad, Pundit M.

Hackshaw-Marslin, Mrs. J.

NOES

Mark, W.

Baksh, S.

Kernahan, Dr. J.



Montano, R.

Seepersad-Bachan, Mrs. C.

Smith, A.

Mc Kenzie, Dr. E.

Ramchand, Prof. K.

Deosaran, Prof. R.

King, Mrs. M.

Quamina, Dr. D.

Thomas, Amb. C.

Seetahal, Miss D.

Anmolsingh-Mahabir, Mrs. P.

Khan, Bro. N.

**Madam President:** Ladies and Gentlemen, we have the same situation here. Again, the same applies in that the Minister does not have the answer. We have to defer the question for one week. I ask the Minister, please, to ensure that we have all three answers at the next sitting of the Senate.

**Sen. Dr. Mc Kenzie:** Madam President, thank you for allowing me to make this observation. I thought that the first part of the question could have been given, but the second part is so vague that the Minister may have been tempted to go 50 years back. I would like Sen. Mark to qualify whether he meant the last five years or so. To say, “for previous managers of WASA”, we could go back—It is just a domestic type question I am asking. Can Sen. Mark put a time frame?

**Sen. Mark:** To assist my colleague to bring the answer here next week, I would set a time frame of the last four years.

**Sen. The Hon. R. Dumas:** Having found myself in this position, I suggest that the way the information was requested might have created difficulty in verification. It is passing strange that Sen. Mark can now understand my difficulty.

**Madam President:** The information will be for the last four years.

**Sen. R. Montano:** If that was the Minister's difficulty, he could, quite easily, two or three months ago when the question was filed, have said that was his difficulty. It is unparliamentary—

**Madam President:** Thank you very much, Sen. Montano.

We will amend the second part of question 6 to read:

- (2) The salary and other financial arrangements for previous managers of WASA for the last four years.

*Question, by leave, deferred.*

**DEFINITE URGENT MATTER  
(LEAVE)**

**Madam President:** I received a request for leave to move the adjournment of the Senate on Definite Matters of Urgent Public Importance from Sen. Arnim Smith. However, I was not satisfied that it qualified under Standing Order 12. I am advising that the Senator could bring it back under Standing Order 11.

**CONSTITUTION (ELECTION OF PRESIDENT) BILL**

**The Attorney General (Sen. The Hon. Glenda Morean):** Madam President, I beg to move,

That a Bill to provide for the extension of the period during which the election of the next President shall be held, be now read a second time.

The Bill before the Senate today is a two-clause Bill. It is intended to enable Parliament, through the Electoral College established under section 28(1) of the Constitution, to elect a new President of the Republic of Trinidad and Tobago.

As Senators here are all aware, the five-year term of the incumbent President expired on March 18, 2002. At the time of the expiration of that term, for reasons that are known to all of us present, there was no Speaker who could have called the Electoral College for the purpose of electing a President. Section 26 of the Constitution sets out the time frames for the holding of such elections and the relevant time frame could not have been adhered to for the very reason I just referred to.

Section 33 of the Constitution deals with the term of office of the President and, in light of the fact that a new President could not have been elected, for the circumstances referred to, the provisions of section 33(3) of the Constitution kicked in, which allowed the incumbent President to remain in office for up to 30 days after a new President was elected.

Because we had no Parliament, no Speaker was elected on April 05. When Parliament was convened again, for circumstances of which we are all aware and which I do not propose to go into now, a Speaker was not elected.

On October 07, 2002, this present Government was installed and Parliament was properly convened on October 17, 2002. However, there were certain matters that had to be dealt with urgently before the Christmas break. As a result, action could not have been taken before to have the time extended for the election of a President.

Section 26(7) of the Constitution provides for the extension of time, and it is under this section that this Bill is brought. This is a Bill that requires a simple majority. The Bill was brought to the House on Friday and passed with an amendment, namely the time for the holding of the election. The time frame now is, not earlier than February 01, 2003 and not later than March 01, 2003.

There is precedent for the introduction of such a bill, namely Act No. 1 of 1987, though the circumstances then were a little different, but the principle was the same by which the time for holding the election was extended on that occasion.

**Sen. Mark:** I did not get the point in terms of the extended period—as early as February 01?

**Sen. The Hon. G. Morean:** It is in the Bill before us—not earlier than February 01, 2003 and not later than March 01, 2003. The new Bill was circulated.

In the circumstances, Madam President, because of the simple nature of this legislation I propose to say no more, so I beg to move.

*Question proposed.*

**Sen. Wade Mark:** Thank you very much, Madam President. We agree with the Attorney General that this is a very simple matter in the context of the clauses that we have to address. There are not many clauses in this proposed Constitution (Election of President) Bill, 2003, but we would like to express our disappointment with what we consider the tardy and almost listless approach by this regime in addressing a matter as critical and of such importance under our Constitution—being the election of a President, the highest office in the land

Whilst we are disappointed, we are not surprised. The cavalier approach that this regime has taken is symptomatic of the setting in of rigor mortis. It is a regime that has collapsed in office. The PNM regime, over the years, has demonstrated disrespect for, not only the Constitution, but also institutions under our Constitution. We are seeing typical PNM behaviour.

The hon. Attorney General said, in her opening remarks, that a Speaker was not elected and we all know the reasons why. We all know that in this Republic

the tenure of the Office of the President expired in March 2002. We had an election on October 07 and the PNM gained, under very suspicious circumstances, the majority of seats. However, from October to the present time, we know, and the PNM knows, that the Office of the President has been extended because of circumstances I would like to bring to your attention later.

The reality is that the PNM failed to do its duty, so we have before us a measure that we are asked to address today—we only got it, I think last Thursday or Friday, when we were going through all the stages. Of course, Dr. Lenny Saith intimated to me yesterday that we were going to do this matter today.

We are arguing that the Government should have had the foresight to bring this measure last year. Why did they not bring it last year if it was so critical? Why did they have to postpone all other matters in order to give it priority today? This is because of the incompetence of a regime that has collapsed in office.

When the hon. Attorney General told this Senate that this is a Bill to set a time frame for the election of a new President of this Republic, I must say it is a masquerade. It is about the demonstrated incompetence and ineptitude of a selected Prime Minister to summon the Parliament. While she did not want to tell you, Madam President, and the Parliament why we did not have a President in March of 2002, I would like to give you the genesis of it.

The genesis of it, Madam President, as you would recall is that the country went to the polls in 2001 and there was a stalemate, 18/18, and under section 76(1) of the Constitution, the hon. Patrick Manning was appointed Prime Minister of this country on December 24, 2001. We have said what we had to say on that matter on the hustings and we say that the reason we have this matter before this honourable Senate today is that the then selected Prime Minister of this country, was appointed under section 76(1) of the Constitution. The reality is that the Prime Minister of this Republic should have tested his capacity to command the support of the majority of the Members of Parliament in an effort to legitimize his rule and reign as Prime Minister. As you would recall, Madam President, in April 2002, the Parliament was convened and the Prime Minister was manifestly unable to command the support of the majority of the House of Representatives in order to elect a Speaker.

I am arguing if, for instance, the PNM and the selected Prime Minister had the moral authority to rule this country during that period, the correct and decent thing to have done was for the hon. Prime Minister selected to call a general election in this country, so that today we would not have had this matter before us. The people would have decided on the UNC back then and we would have

proceeded to effect the election of a President. Instead, in this period, the country faced a government postponing and extending its life and using the resources of the State in order to gain an unfair electoral advantage, which we saw in October 2002. That is why today our country is being blacklisted internationally as a possible terrorist country. The PNM and the selected Prime Minister. [*Crosstalk*] Can I get some peace?

**Madam President:** Gentlemen, I would like order in this Senate, please.

**Sen. W. Mark:** I would argue on our side that, had the Government at that time, in April or March 2002, called a general election in this country because the hon. Prime Minister came to the Parliament and tested it; he was tested and he failed, and instead of going to the country and seeking a mandate as to whether he should continue to rule this country, he continued to rule in a surreptitious way—by stealth. In any other country they would have been charged for treason and been impeached because they used the resources of the country in a cavalier fashion. Up to this day the nation has not been given an account of the \$20 billion that the PNM squandered in this country.

I am arguing that we could have avoided this Bill. We could have dealt with this Bill since last year, had they gone to the polls; had they called the election. But they failed to call the election and squandered recklessly the resources of the nation merely to cling to power. They went to bed with known terrorists, extremists and insurrectionists in this country and today our nation is being blacklisted by Britain.

**Sen. D. Montano:** On a point of order, Madam President. My friend forces me to rise. At least, I can ask him to build a nexus between terrorism and the extension of the term of the President.

**Madam President:** What Standing Order?

**Sen. D. Montano:** Standing Order 35(1).

**Madam President:** Senator, will you please come back to the Bill under discussion, which is the extension of the period during which the election of the next President shall be held. It does not include anything about terrorism as I myself can see from the Bill.

**Sen. W. Mark:** I am always guided, but I was seeking to indicate that, as a result of the failure on the part of the Government to bring to the Parliament this very Bill last year, we in Trinidad and Tobago, as citizens, have suffered enormous consequences, not only to our personalities, but the lives of many citizens have expired as a result of the uncertainty that gripped this society during this period.

*Constitution (Election of President) Bill*  
[SEN. MARK]

*Tuesday, January 21, 2003*

We argue that the regime should have been in a position to convene this Parliament and to seek the support of the majority of its Members if it wanted to continue to rule. Whilst we will support the measure, it demonstrates a government that is committed to holding on to power at any cost. It is because of the PNM's intransigence, particularly the then selected Prime Minister of this country, that we are here today dealing with the election of a President which was supposed to take place in March 2002. Instead, we have an over-bloated Cabinet of 30 in exchange.

Today, one year later, the Government has brought a measure to seek to have this matter rectified and they are seeking to rush the Bill through the Parliament, in an effort to deal with the reality before us. This is a situation that can arise when persons with their own agenda seek to put their own interpretation on our Constitution. Therefore, we feel that this is an opportune time when this nation must reflect on the need for reform. This is an ideal opportunity for us to provoke the Government into joining with the Opposition, the Independent Benches and all critical stakeholders in reforming the Constitution of Trinidad and Tobago, where our President should now be subject to direct adult suffrage. It gives us the opportunity to look at the whole issue, which we will deal with as a Private Member's Motion. It is a matter we feel is quite appropriate, given the circumstances we are faced with today.

We have to look at the question in the context of the Cabinet, that is supposed to be accountable to this Parliament, which ends up controlling the Parliament. This measure, to extend the term of office and to hold the election for a new President of this Republic on or before March 31 of this year, is a manifestation of the need for us to give attention to the question I have raised about constitution reform.

**Sen. Morean:** On a point of order, Madam President. This measure is not seeking to extend the term of office. The term of office was lawfully extended under section 33(3). This measure is simply seeking to fix the time for the holding of the election. It is not March as the hon. Senator has just said; it is February 01 to March 01.

**Sen. W. Mark:** I take your point—February 01 to March 01. I have no problem with that, but Madam President, the title of this Bill said “an Act to provide for the extension of the period during which the election of the next President shall be held”. [*Interruption*] We are happy about that because we feel that is the correct thing to do. [*Interruption*]

We are not in government because the PNM used terrorists and extremists and actually manipulated the state resources in order to win the last election. That is

why we are here and they are there. The only reason they are there is that we allowed them to be there because we are peaceful. If we were not peaceful, they would not have been there. They stole the election.

This is a matter we have no difficulty with. It is a measure we have to support. We feel that the time has come, given all that has happened, to get this question of the Office of the President addressed and we believe this measure will, to some extent, address this particular lacuna in the system as we see it. That is why we say that the whole question of reform of our Constitution, getting away from the first-past-the-post, winner take all, system is something we have to get rid of. The PNM does not want constitution reform in this country as far as we know.

We are just serving notice that we will be using every measure, device and opportunity to ensure that Trinidad and Tobago has constitution reform on a comprehensive and sweeping basis before their life expires. I am talking about the life of the PNM. It is just a matter of time before the masses run them out of town.

We have no difficulty in giving support to the measure. We think it has come a bit too late; nevertheless it is better late than never. We want to indicate the question of the illegality, immorality, misbehaviour and the wilful misconduct in public office by the PNM during the period December 24 to October 07.

I thank you very much, Madam President.

**Sen. Dana Seetahal:** Madam President, I think we can agree that there is need for the Bill and I think by and large everyone will be supporting the general intent of the Bill. It is clear that while section 33(3) of the Constitution allowed the current President to continue in office, it did not provide for an extension of the period for which an election should be held, which is why we must now proceed under section 26(7) to so provide.

It is clear also that in the two-clause Bill that we have, there is a specific time period so that there is no need to have a lapse in the legislation. It will end when there is the next election of a President. However, I have two areas of concern with respect to the draft before us. The first is that the Bill in itself is not clear enough. It appears to exist in a vacuum. Why do I say that? It is very short and comes with a very long preamble. However, a preamble is not a part of a bill. When someone is using this legislation, he will be following clauses 1 and 2 of the Bill. The preamble explains the purpose of the Bill and it is usually resorted to only when there is any confusion to understand the purpose of the law.

This Bill merely says the name of the Bill and that the election of the next President shall be held not earlier than February 01, 2003 and later than March 01,

2003. There is nothing more to the Bill. It is my contention, therefore, that what is first wrong with this Bill is that in clause 2, we are not really talking about the election of the “next” President, but we are talking about the “next” election of a President. I think that is something we should make clear. I think also that we should include in the substance of the Bill something which refers to the end of the term of office of His Excellency The President.

I think that clause 2 should be broken up into two subclauses and we should delete the word “next”. It should not be “the election of the next President”, but “the election of the President shall be held not later than May 01, 2003”; and we should have a subclause (2), which should read: “The election referred to in subclause (1) is the election of a President to assume office after His Excellency Arthur Napoleon R. Robinson, T.C., O.C.C., S.C. demits office”.

This is what I suggest by way of amendment and I guess when we go to committee stage we will deal with that in more detail. It should be made clear that we are not dealing with the election of a “next” President. That might be the practical effect, but the legislation is really to provide for the next election of a President, as I see it. I think there ought to be no serious disagreement with that.

Thirdly, since we are so concerned with the provision of section 26 of the Constitution, as we should be, because that is the section which, in its seven subsections, deals with the election of a President, the highest office in this country, I think we should be equally concerned with subsection 26(1) which says:

“The Speaker of the House of Representatives shall be responsible for the holding of elections for President.”

It goes on to say at (2) that the date of every election shall be announced by the Speaker in the *Gazette*. I have heard all sorts of suggestions and read things in the newspapers, which I really do not give credence to because I am sure that no one will seek to take away from the Speaker his right to state the date of the election. Until that is announced, I hope we will be hearing from no one but the Speaker about that. I reiterate that we should be following section 26 in its entirety.

Thank you.

**2.30 p.m.**

**Sen. Brother Noble S.A. Khan:** Thank you, Madam President, and may Our Lord and Creator be with you and the rest of our country. I too rise to support the passing of this Bill. I will not attempt to recite the circumstances, as indicated by the hon. Attorney General in her opening remarks, of the need for this Bill, however, I would like to share some thoughts.



The need for the Bill has left us with many unique experiences and I am of the opinion that, when reflections are taken in time to come, those reflections may very well identify the challenges of the institution of democracy in our country. The challenges were matched in the unique situation presented, and from which we have passed through in the face of the realities of the world without succumbing the dignity and decorum of high office and also withstanding the good, the bad and the ugly, which would obviously emerge in this time were we to put it under heavy scrutiny.

Also, without attempting to catalogue the varied instances, I am sure that testimony will be given by many of that time being a fine hour in our nation. That, I would suspect and posit, is really purely for our people, the common man, the simple man, without those who may occupy leadership in areas of civil society. Of course, there would be diversity from this view from many but, if we were to look at it, in the exercise of our nascent democracy and its practices, I am sure some credit may be given to what I am saying.

In any situation when crises arise, the challenges that will emerge will allow for a bastion of strength to be displayed. This has always been what our various traditions, of which we have many in our land and from very ancient times, offer and allow so that we can celebrate in a profound way. It allows for a sense and a manifestation and experience of the sacred. It never misses this and it is well to remind ourselves of our spirituality and when it works within us. To this end, I remind us again of peace and courage and let us look beyond.

Madam President, as I understand, the Bill is needed in light of what the law requires. Circumstances change and I look forward to a deeper look at the entire legal system, it affords that, not the least of which is our Constitution, Act No. 4 of 1976. There is need, because of those circumstances to which I have alluded and have given rise to this Bill, there appears to me, and it was very well articulated by so many of our citizens in Tobago and in Trinidad, for that review. I strongly urge that we definitely prepare ourselves for that and may we, as we go our different ways, always remind ourselves of the dynamism of change and the need to meet those challenges.

Thank you, Madam President, and may God Almighty be with you and also our nation. [*Desk thumping*]

**Sen. Robin Montano:** Thank you, Madam President. [*Desk thumping*] Madam President, if ever you want to understand a problem, I was taught, you go back to basics, you go back to the beginning. With this Bill before us today, the beginning starts on December 24, 2001 when the Constitution was breached and a

Prime Minister was selected unconstitutionally. The problem was exacerbated when the selected Prime Minister refused to convene Parliament for three months. He went to April 05, 2002 or something like that—three, three and a half months—and when he convened Parliament finally, and it was clear that he could not command a majority in Parliament, he breached all the conventions of parliamentary democracy and progress and proceeded to govern until he basically ran out of money in September and was forced to call an election on October 07, 2002. Thank God for the budgetary constraints, otherwise we would still be here.

In all of this, what happened in that time was that the President, who had been elected in March of 1997, his term of office came to an end in March of 2002. Now, all the constitutional niceties were swept aside; all right, fine. We all know about them and it would be belabouring the point to go into them again. Suffice it to say that I found it extraordinary that people just so calmly accepted the breach of the Constitution without understanding its full implications. However, here now we have a situation.

As the Attorney General has so correctly said, there was an election on October 07, 2002, all right. We know that they stole the election, but I am not going to go into that today. That is grist for another mill at another time. Parliament was convened on October 17, 2002. Now, I have heard it said here, as well as outside and elsewhere, that the highest office in the land is that of the President of the Republic. Highest must also mean the most important. What could be more important, therefore, than, immediately one has a functioning Parliament, when you get the Parliament functioning, surely the first thing you want to do is bring to the table a bill reorganizing the presidency and reorganizing the election of a President.

However, what do we do in its place? Amongst other things that you bring is an act to amend the Children Authority Act, 2000 and an Act to amend the Adoption of Children Act whereby you want to make an amendment to the two Acts saying “court means the court responsible for family affairs” and that, Madam President, was more important than the election of a President. As the Americans would say, “Give me a break”. [*Interruption*]

I can hear the Attorney General saying, “Oh yes, children, children!” This did not make any great difference at that time. Yes it had to be done and we have been through the debate and I do not wish to go into the debate. In any case, the Standing Orders forbid going back into the debate and all that was said on the bills then I repeat, if the Attorney General wishes to go into the debate. However, in a thousand years, convince the population of Trinidad and Tobago that this was

more important and required parliamentary time before the election of a President? Really? Give me a break! That cannot be right. You have only got to look at it to see that it is wrong.

They come with a glib explanation, totally glib, and say, “Certain matters had to be dealt with urgently before the Christmas break.” Like what? What was more important? Okay, I agree, the budget; but ask anybody, except, of course, the PNM. Ask any citizen in the street, “After the budget, do you not think that the election of a President was very important?” Everybody would say yes. If it was not so important, why are we bothering now? Why do we not wait for another year or two or 10? What is so important about it?

Madam President, you cannot come to Parliament with glib explanations and attempt to pull the wool over people’s eyes. I believe it was Abraham Lincoln who said, “You can fool some of the people some of the time; you can fool some of the people all of the time but you cannot fool all of the people all of the time.” They are going to find out very soon that when they come with explanations that at the end of the day simply do not make sense and do not ring true, people are going to begin to doubt them and the situation, Madam President, leads inevitably and inexorably towards a breakdown in good governance.

You see, Madam President, let me explain something. When it is elected, a government goes into office on two legs. It goes into office on a legal leg, because it now has the legal authority to govern, but it goes into office also with a moral leg, that is to say, with the moral authority, because the population has spoken and we in this society accept that if the majority says this and the rules are laid down, then you have the moral authority to govern. However, what can happen, as has happened next door in Venezuela, is that a government can very quickly and easily lose its moral authority while retaining its legal authority to govern. It happened in this country in the 1987—1991 Parliament when the NAR government very quickly lost its moral authority to govern.

I said it way back in the 1987—’91 Parliament and I say it here. It is not in the interest of the country for a government to lose its moral authority. When a government loses its moral authority to govern, all kinds of things happen.

**Sen. Dumas:** Point of order, Madam President. Madam President, I think we have exercised—

**Madam President:** What is your point of order?

**Sen. Dumas:** Point of Order 35(1), 35(5) and 35(8). We have been letting—I want to suggest to you that the Senator has violated Standing Order 35 by being

irrelevant. He has also violated 35 by imputing improper behaviour to the President. He has also violated 35 by imputing that the Prime Minister has violated the Constitution. He has also, Madam President—I just want to draw attention to the fact that the Senator, in speaking, is damaging the order.

**Madam President:** I want to agree because I was about to rise on the fact that I was not very happy with your reference to the Constitution being breached on December 24, 2001 and, Sen. Montano, I would ask you to be very careful and to take note of the Standing Orders and of the issue that was just raised and please do not breach the Standing Orders in the rest of your contribution.

**Sen. R. Montano:** I will certainly try not to, Madam President, and I am guided by your ruling. As usual, even though I do not agree with it, I am guided.

**Madam President:** Sen. Montano, I would ask you to please be careful in what you say.

**Sen. R. Montano:** Yes Madam, of course. As I was saying, Madam President, the Government stands on two legs. It stands on its moral authority to govern and its legal authority to govern. A government that loses—a government that does not come honestly and openly, with clean hands as it were, openly to the people, with all its cards on the table, and does not also observe the constitutional niceties like, for example, not bringing this Bill on time—and this is the point that I am making—the Government’s failure to bring this Bill on time is in essence snubbing its nose at the Constitution.

It is saying to the Parliament and, by extension, to the people of Trinidad and Tobago, “We are going to do what we like. We have the majority. We will bring bills when we want, how we want, and in whatever order we want, and we really do not care about the niceties of the Constitution. We do not care whether or not this is a matter that ought to have been brought first. We do not care about this. We will do it in our own time”, and in the vernacular one could say “crapaud smoke yuh pipe” because that is what they have done when they have turned to us and said on January 21, 2003, “Oh, we didn’t have time to bring this before.”

Really? Really? You did not have time to do it? You could not—this was not a priority with you? It cannot be right and no amount of obfuscation can make it right. No amount of pretending and sort of playing a shell game with the people can make it right. This is why I say, Madam President, and through you I would warn the Government of Trinidad and Tobago that it is playing with fire.

I have seen in 1987 when I was in this Senate, on this side, I looked at the NAR government and I told them then that they were playing with fire. Everything

that I said came to pass—everything. The government lost its moral authority and it ended up in a mess. We all know about the events of 1990; and to date you are seeing the same patterns starting to happen again. It is exactly the same. It is almost like living through *déjà vu* and I sit and I worry for my country because I see my beloved country running into potential problems when ministers, prime ministers and the Government in general so casually cast aside the Constitution, so casually cast aside things like—“I am not going to bother to answer this question in Parliament. I will get an extension”; casual, casual, casual.

It does not matter what we say, it does not matter what we do, let them talk. Little by little, what happens is that the moral legs begin to get shorter and shorter and shorter until all of a sudden the Government is left standing on one leg only, the legal leg, the legal authority to govern, having lost all moral authority and all confidence of the people. If they do not pay attention and if the matter is not dealt with early, and if we in this Senate do not sound the warnings now and if these warnings are not heeded, as sure as night follows day, we are going to end in trouble.

When I look back, I look back to 1987 and I see the pattern.

**Sen. Morean:** Madam President, on a point of order, Standing Order 35(1), again, my friend has refused to confine his observations to the subject under discussion. We can understand a passing reference to something, but he is going on at length on all his forebodings in which we are not interested.

**Madam President:** Sen. Montano, I have to agree that as yet you have not addressed the Bill under discussion. Could you please come back to the Bill, for the last time?

**Sen. R. Montano:** Yes, Madam President. Well, Madam President, I will come back to the Bill and I will say to you that it is interesting that the Attorney General says that they are not interested in my forebodings. Hopefully this statement will not be regretted later on. As for the Bill, Madam President—*[Interruption]*

**Madam President:** Are you on a standing order, Senator?

**Sen. Dumas:** Yes, Madam. I would just like to find out whether we are getting a warning or a threat from the Senator.

**Madam President:** I am afraid I did not—what Standing Order is that, Senator?

**Sen. Dumas:** Standing Order 35. I am questioning the relevance of what he is saying, Madam President. I want to be clear that the Senator is not threatening the country with any untoward behaviour.

**Madam President:** All right, would you please continue?

**Sen. R. Montano:** In a thousand years, nothing that I have said could possibly be taken as a threat. What I was doing—*[Interruption]*

**Madam President:** Can you get back to the Bill, please?

**Sen. R. Montano:** Yes, Madam, but if I could just answer my friend—*[Interruption]*

**Madam President:** I do not think you need to answer. Just continue with the Bill.

**Sen. R. Montano:** Well, what I was doing was warning.

If I could be allowed to get back to the Bill, the election of a President is something that is very important. I agree with what my friend, Sen. Mark, has said, that we have reached a stage now where the President ought to be elected directly, and that is a matter for constitutional reform. However, one of the things that I would like to point out also, Madam President, is that even at this late stage, that is to say, January 21, 2003 do you realize that the Government has yet to say who their nominee for President is? Everybody knows that their nominee will be elected.

Now, I ask the question, is it true that the reason we have not heard who the nominee is, is because the Prime Minister made a deal with President Robinson, that he would be re-elected as the President, and what is happening—

**Sen. Morean:** Madam President, 35(8)—

**Sen. Joseph:** You cannot talk about the President in this Chamber.

**Madam President:** Yes, I agree. Sen. Montano, I think I will have to—if this continues—I am giving you one last warning. If it continues, then you will have to stop your contribution.

**Sen. R. Montano:** Well then, Madam President, I ask the question directly. Is it true that the PNM is intending to re-nominate President Robinson and that the only reason they have not announced it is that they are waiting to see if Mr. Robinson's health holds up? I pause to let them respond.

**Madam President:** Sen. Montano, I am afraid that you will have to bring your contribution to an end. Is there anybody else? Okay. If there is nobody else then I will call on the Attorney General.

**The Attorney General (Sen. The Hon. Glenda Morean):** Madam President, I beg to move that the Bill be now read a second time.

*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.*

**Madam Chairman:** All right, as yet we have not gotten the written amendment. So maybe in the meantime I can ask Sen. Seetahal to give an explanation once again of what the amendment was.

**Sen. Seetahal:** The proposal is that what is now clause 2 be first of all renumbered clause 2(1)—the (1) would be in brackets there—and that the word “next” be deleted, that is the fifth word in that line, so clause 2(1) would now read:

“The election of the President”

and maybe we can have “of the Republic of Trinidad and Tobago” but I do not think it is necessary.

“The election of the President shall be held not earlier than February 01, 2003 and not later than March 01, 2003.”

I am now suggesting an additional amendment, the inclusion of clause 2(2) which would read:

“The election referred to in subsection (1) is the election of a President to assume office after His Excellency, Arthur Napoleon Raymond Robinson TC, OCC, SC, demits office.”

The reason I say this is that, as it stands, the current clause 2 refers to the next President rather than the next election, which is what we are concerned with, and in any case, the inclusion of the word “next” in legislation is not a good thing. It is really not acceptable, I think, and I have suggested we delete it in this case for that reason.

“The election of the next President” or “the next election” itself sounds vague and clumsy. The reason I am suggesting the inclusion of clause 2 is that a Preamble, while this is extensive, is not part of the law. The Preamble is only something you resort to when there is confusion in the substantive legislation. The Preamble identifies the purpose or the intention of this law and that is why I think we should have in the substantive legislation a clause,

which more particularly refers to what the election is about. That is my explanation and those are my suggestions.

**Sen. Morean:** I disagree with what the goodly Senator has said in relation to the Preamble. The Preamble, while it does not form part of the substantive text, is used to explain what is contained in the substantive text. So that with that Preamble and continuing with clause 2, which is dealing with “The election of the next President”, now that is perfect and correct English by any standard because you are dealing with the next President. You are not dealing with the incumbent; you are dealing with the one that is to come after the incumbent. So that the clause is quite clear that all you are dealing with is the election of the next President shall not be held earlier than this time nor later than that time. The only interpretation for that is that the President to come—you are dealing with the President to come and no other President. So that this is not going to be dealing with a President after the next President. So this is quite clear and really does not need to be amended in any way whatsoever.

**Sen. Prof. Deosaran:** If I might submit a view, and, of course, with respect to my colleague, Sen. Seetahal, I have an idea what she intends to do but I have to agree with the Attorney General about the role of the Preamble in legislation. The Preamble conveys the spirit and the intention of the words used hereunder in the specific Act, and if at any time reference has to be made to the Act, of course the Preamble will have to be taken into consideration to extract the meaning of the legislation in terms of grammar and words. So I am of the view that it should remain as it is and I also agree with the grammar. It seems as if we have to have two types of English, one for lawyers and one for the Oxford dictionary and so on. I prefer to veer to what the standard meaning of the word is and, to me, “next President” is pretty clear in the circumstances—the President.

**Sen. R. Montano:** Madam Chairman, I would respectfully beg to differ with Sen. Prof. Deosaran and I respectfully endorse everything that Sen. Seetahal has said. She is correct in what she says about the Preamble and if I went further I would simply be repeating what she says. I agree with her. She is correct.

**Sen. Morean:** There is just one more thing I should point out. Act No. 1 of 1987, which has been on the statute books for the last 15 years, '87 to now, is of the very same text, using the same language for the same purpose.

**Sen. Smith:** That does not make it right. I am saying that if Act No. 1 of 1987 has been on the books for the past 16 years, that does not make it right. There are



things on the books that are wrong and need to be corrected at some point in time. I would agree with Sen. Seetahal on clause 2. I think that “The election of the President”, it would also indicate that there would be an election of the President. It does not say whether it is the present President or one to come and the election of the President is a choice for the present Government to elect, whether they would retain the present President or they would elect a new one.

However, when you are saying “next”, you are indicating to the population that the present President has gone. That is what you are doing. You are telling the population that the present President has gone through, but we have seen in this country already where the President in office was re-elected. It is not that we have a Constitution that says that after the President serves his term he must go. “The President does be re-elected.” So by saying “the next President” you are indicating that “the one in office gone”, but if you say the election of the President, it is saying it could be either way. You could retain the one in office or you could select a next President.

**Sen. Dr. Saith:** Madam Chairman, in 1987, the same situation arose with Sir Ellis Clarke and I have the legislation. The preamble talked about Ellis Clarke assuming the office and when the office expired and why there was need for an extension, section 33, and the enactment itself says:

“Enacted by the Parliament of Trinidad and Tobago as follows:

1. This Act may be cited as the Constitution (Election of President) Act 1987.”

Which is similar to what we are saying now in 2003.

- “2. The election for the next President shall be held not earlier than 16th February 1987 and not later than the 27th February 1987.”

What has been changed is the date. There is precedent for it. An Act has been passed. There are eminent lawyers on both sides in the Lower House, I think, who went through this on Friday or whenever they had—there is precedent and I think we can move on.

**Sen. Morean:** Just to round off, I think part of the confusion, if I may say so with respect to Sen. Seetahal’s approach to this, is the fact that she premised her remarks by saying “a next”, when she said that we are dealing with a next President. I think the problem is, as far as the English language is concerned we never use “a next” but when we say “the next” we know what we mean. It must be “the next” and “the next” only.

**Sen. Seetahal:** Can I finish by responding to what was said, Madam Chairman? I was indicating that the way the clause is constructed at present, it suggests that we are looking at a next President and that is my point. What we are concerned with—[*Interruption*] I say—may I say—what we are concerned with is the next election and that is the point I was making, that this legislation—and I agree with Sen. Smith here—as it stands, talks about a next President and that is not what we are concerned with when we are talking about the period February 01, 2003 to March 01, 2003.

The second point is, I do not think that there is any confusion in my mind as to what I am suggesting. Merely because legislation has been passed in the past, 16 years ago, and eminent counsel may have voted for it to be as stated then, “the next President”, does not mean that it was not ambiguous. We have seen many pieces of legislation, of recent vintage even, pronounced by the courts to be bad. I am merely contending, and I stand by it, that, as it is, we are not dealing with the election of a next President but a next election and that should be made clear, one, and I say and I repeat that a Preamble is not part of the law and it is only resorted to when there is confusion or ambiguity in the law. Why should we have to resort to it when we can include in clause 2 something to make it clear? That is all.

I am not proposing any massive change but if the Government side does not wish to, that is no problem with me. I am merely pointing out that, as it stands, I would prefer to have the legislation clearly state that the next election we are about is the election of a President after this President demits office. Why resort to the Preamble?

**Madam Chairman:** Senators, any other comments?

**Sen. Prof. Ramchand:** Madam Chairman, I do not want to get into—let us suppose we said “The election of a President to assume office after His Excellency Arthur N.R. Robinson demits office shall be held not earlier than February 01, 2003 and not later than March 01, 2003”?

**Sen. Morean:** That really is not necessary because the language is so clear. The language is very clear.

**Madam Chairman:** Any other comments? All right ladies and gentlemen, the question is that the Bill be amended by the amendment which was put forward by Sen. Dana Seetahal and that is that clause 2 be substituted by the following:

- 2(1) The election of the President shall be held not earlier than February 01, 2003 and not later than March 01, 2003.

- (2) The election referred to in subsection (1) is the election of a President to assume office after His Excellency, Arthur N. R. Robinson, TC, OCC, SC, demits office.

*Question, on amendment, put and negatived.*

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

*Preamble adopted.*

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

*Senate resumed.*

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

#### RELATED BILLS

**The Minister of Social Development (Sen. The Hon. Mustapha Abdul-Hamid):** Thank you very much, Madam President. Madam President, Bill No. 3, an Act to amend the Old Age Pensions Act, Chap. 32:02 and to validate certain things done thereunder, and Bill No. 4, an Act to amend the Public Assistance Act, Chap. 32:03 and to validate certain things done thereunder are interrelated. I therefore seek leave of the Senate to deal with them together.

*Question put and agreed to.*

#### OLD AGE PENSIONS (AMDT. AND VALIDATION) BILL

*Order for second reading read.*

**The Minister of Social Development (Sen. The Hon. Mustapha Abdul-Hamid):** Thank you, Madam President, and thank you Members of the honourable Senate. Madam President, some of my contribution may be received as and perceived to contain a degree of complication and it is primarily as a result of the fact that we have a number of amendments and validations to complete and we will go as far back as October 01, 2000. In spite of the fact that we have just been scolded, to some extent, for failing to do our duty in our so-called tardiness to present the Bill regarding the election of the next President, we all know that we have ample justification for that. It is primarily as a result of the fact that—as a consequence of the betrayal of the Crowne Plaza Accord and our ability to have a functioning Parliament during the year 2002, we were unable to bring these pieces of legislation, these amendments, to the Senate and to the Parliament. Whereas we have been accused of being a Government that has metaphorically perhaps collapsed in government, I say that we all know they literally collapsed in government.

Madam President, the complications are present and I will try to go through them in a manner that will allow for us to make good sense of them. Clause 2 of the Bill—and there is an amendment to the amendment Bill which I think would have been circulated—seeks to amend section 3 of the Old Age Pensions Act, Chap.32:02. Clause 2(a) would amend section 3(1)(a) of the Act to increase the income ceiling from \$720 to \$1,000 with effect from January 01, 2003. The effect of this amendment, Madam President, is that if a person's income exceeds \$100 per month but is less than \$1,000 he would be entitled to what is called a basic pension.

If we take our minds back to 1999, a two-tiered system was introduced so there is a need for me to make the distinction between a basic pension and the monthly pension. Persons who are in receipt of income less than \$100 will qualify for a monthly pension of \$1,000 whereas, as the situation is today, persons who are presently in receipt of an income of between \$100 and \$720 are entitled to a basic pension of \$900. So, Madam President, we are attempting in this particular clause to ensure that the income ceiling is adjusted from \$720 to \$1,000 with effect from January 01, 2003.

Madam President, clause 2 of the Bill will amend section 3(1)(b) of the Act which deals with the monthly pension payable to persons whose income is less than \$100 per month. This amendment will reflect the increase in monthly pension from \$720 to \$800 from October 01, 2001, to December 31, 2001.

Clause 2(b) would increase the monthly pension from \$800 to \$1,000 with effect from January 01, 2002. Madam President, the basic pension payments have been increased since 2000, however, the legislation was not amended to reflect the increase. Clause 2(c) seeks to address this situation.

Clause 2(c) would amend the basic pension as follows:

- from \$520 to \$620 with effect from October 01, 2000 to September 30, 2001;
- from \$620 to \$700 with effect from October 01, 2001 to December 31st, 2001; and
- from \$700 to \$900 with effect from January 01, 2002.

Madam President, I will now deal with clause 3 of the Bill, which addresses the issue of validation. We are all aware of the events following the December 2001 election. In the absence of parliamentary approval for the payment of increased amounts of monthly and basic pensions, this validation is required.

Clauses 3(1) and (2) seek to validate the increase in the monthly pension to \$800 from October 01, 2001 and a further increase to \$1,000 from January 01, 2002.

The payment of the increased amounts of the basic pension also requires validation. Clause 3(3) seeks to validate the following increases in the basic pension:

- the increase from \$520 to \$620 from October 01, 2000 to September 30, 2001;
- the increase from \$620 to \$700 from October 01, 2001 to December 31, 2001;
- the increase from \$700 to \$900 from January 01, 2002.

Madam President, we are all aware, those of us who work in the social sector, of the role and value of our elderly. In many of our homes we know that grandparents play a pivotal role. In many cases there is the cultural element in that, in some of our homes, you find that persons stay on in the home for much longer and that the extended family is, in fact, characteristic of major segments of our population. As such, grandparents in particular often provide much economic support for their respective families. Although we have a situation here where we know that we are giving and we are validating an increase in pension to our elderly, the fact cannot be ignored that many families sometimes depend, to some extent and to some limited extent, on the earnings of our grandparents and our elderly.

This is as a result, in some cases we know, of where our parents have fallen down in that they have failed to perform or to accept and to fulfil their responsibilities to their children and those responsibilities are left to the grandparents and the elderly and, as a result, those grandparents and elderly persons sometimes find themselves having to take the responsibility for their grandchildren to provide for them, send them to school and provide the daily sustenance. So these increases play a significant role and contribute in some cases immensely to ensure that families continue to survive.

Madam President, as I was trying to think about the kinds of contributions made by some of the older members of our population, and they are wide and varied, and they do not only confine themselves to the segments of our population that are or may be dependent on these “handups”, as we have referred to them before, we are also mindful of the contributions made in the field of academia by some of the older persons in our society. Though they may not qualify as pensioners, they form part of that group of older persons. While I do not intend to

[SEN. THE HON. M. ABDUL-HAMID]

accuse anyone here of being an older person, I look around this honourable Senate and I see an abundance of talent, an abundance of ability.

I look at the Independent Bench and I see Sen. Dr. McKenzie; from what I understand, an extraordinary educator. Every time she has spoken in this honourable Senate she has made valuable contributions. Sen. Prof. Kenneth Ramchand himself is a literary critic, renowned throughout the Caribbean. I had the pleasure of participating in a CPA Conference along with him and I marveled at the fact that so many people, young and old, were eager to sit at his feet, to put it metaphorically, to hear what he had to say. Particularly, there was one student of literature, who, when I asked him if he knew who Ken Ramchand was he did, but he did not realize he was actually sitting next to Sen. Prof. Ken Ramchand.

Prof. Deosaran is an academic who has done much research in our social sector. I have had the pleasure of sitting in a joint select committee together with and chaired by Sen. Mary King.

**Sen. Mark:** What is the relevance of these things?

**Sen. The Hon. M. Abdul-Hamid:** Would you like to stand, Sir? We look at the kinds of contributions that have been made and when I think about the kinds of contributions that have been made from the Opposition, I see too that they have some potential.

**3.30 p.m.**

Hon. Senators, the Leader of Government Business has had a long history in social service. In fact, he has been taught by hon. Martin Joseph, so I know that he has been well taught—[*Laughter*—and he must have learned something.

**Sen. Mark:** Not much at all; I am ashamed.

**Sen. The Hon. M. Abdul-Hamid:** There are others on the Opposition Benches who have been brought up under the PNM and have learned good PNM values, some of which they may betray, but the fact is they were exposed to the highest quality and the best example of good parliamentary procedure and conduct. On our side we know that we give valuable contributions on a consistent basis, so this honourable Senate is well endowed. This is a resource base, which the Ministry of Social Development and the Office of the Prime Minister hope to tap into and use. And this is the relevance, honourable Senate: That we can be in a position to design the best systems and make the kinds of proposals that are going to benefit our older persons in the best way; and there are people in this honourable Senate—[*Interruption*]

**Sen. Mark:** Madam President, I do not know if my honourable colleague could tell this Senate: Does the Government have any intention of increasing old age pension from \$1,000 to \$1,500 and if so, when, given the cost of living, the 22 per cent increase in flour?

**Sen. The Hon. M. Abdul-Hamid:** Madam President, the Senator can put a question to this Senate at the appropriate time. [*Desk thumping*] [*Laughter*]

**Sen. Mark:** The CPA helped you. [*Laughter*] You are learning boy.

**Sen. The Hon. M. Abdul-Hamid:** We will be happy to entertain his question.

I was actually referring, Madam President, to the talent that is available in this honourable Senate and to the fact that the ministry of which I am, at present, Minister, intends to utilize all the resources, to the extent that Senators are willing to make valuable contributions in this Senate and outside, that we can formulate the best policy with particular reference to older persons.

The reason I am saying this is that our Ministry is in the process of doing a number of consultations, one of which is a consultation on ageing, the purpose of which is to design a national policy on ageing. This policy will speak to a number of issues as they relate to ageing and the elderly. It includes, among other things, meaningful participation and involvement of the elderly in the society, adequate community-based services, respect for the elderly, education and public awareness on issues related to ageing and the elderly, access to affordable health care, housing, recreation and encouraging the support for ongoing research on ageing issues. This policy will form the basis of future programmes and projects for the elderly.

We also intend to establish a division of ageing, and we are very close to achieving this objective. The division will be responsible for coordinating and monitoring the implementation of the national policy on ageing, monitoring the implementation of the international plan of action on ageing, developing and implementing programmes and projects for the elderly and conducting research on issues related to the aged and elderly.

With regard to our consultations, I would like to open my arms and the arms of our ministry, even to those in Opposition, because we too recognize that they might have some value and some positive contributions to make. You see, Madam President, while we know that they have allowed, to some extent, their bitterness to paralyze their minds and we are conscious of the fact that they suffocate under the weight and pressure of an electoral defeat and cry out sometimes with mindless monotony, we know that in the midst of that tension and unease, even if

they themselves cannot recognize it, there may be some good that can be derived as a result of contributions they may be willing to make.

Our Government has had a long-standing dedication and has long been devoted to upgrading our social sector. Our national policy on ageing and our establishment of the Division of Ageing, as I have just enunciated, will, indeed, contribute, in no small way, to the advancement of the cause of older persons in our society. Our contributions, in this regard, are not limited to those two activities. While those two activities, in particular, will be of great significance, we must also recognize the other things with which we intend to proceed.

Madam President, you will be familiar with our Geriatric Adolescent Partnership Programme, which is a major part of our intention to improve the living conditions of our older persons. This particular programme was designed to harness the wisdom of our seniors by means of the development of an intergenerational relationship with youths between the ages of 17 and 25 years. In a number of ways, the programme provides comfort, ease and help for our older persons. You would also be aware of our attempt at efforts to increase accessibility to medication by forming partnerships with private pharmacies from which the elderly may purchase medicine at reduced prices. These are all measures by which we have been trying to improve the care of the elderly.

It should be understood that we have a holistic approach and it is not that we hope to consider the increase in old age pension as the single attempt we are making to ensure that the quality of life of our older persons are improved. That their quality of life is improved is of great importance to us, so the holistic approach is the one we have chosen to adopt.

As we address other areas in the social sector, we find there is much relief to be experienced by older persons. When we engage in a project, for example, the Community Environmental Protection Enhancement Programme (CEPEP), we are able to provide employment for the young. As a result of that, there is less strain on the resources for the older persons. That is an integral part of our holistic approach as well. As we give to our people—[*Crosstalk*]

**Sen. Mark:** To “mamaguy” the population to buy votes.

**Sen. The Hon. M. Abdul-Hamid:** —a national policy on ageing, Division of Ageing, Geriatric Adolescent Partnership Programme, the National Entrepreneurship Development Programme and so on, we see that we have been subject to criticisms of things that are good and positive.



This is a very simple Bill, Madam President, complicated only by the fact that the former administration failed to do its job and had the gall to come here and accuse us of failing to do our job. I have read it out and it is straightforward enough as it is.

I beg to move. [*Interruption*] Madam President, pardon me please; I neglected to mention the disability—the Public Assistance (Amdt.) and Validation Bill. Pardon my inexperience.

**Sen. Mark:** You are forgiven. The CPA did not give you that training.

**Sen. The Hon. M. Abdul-Hamid:** Madam President, the disability assistance grant caters for all persons 40 years and over. It was first introduced in 1996. [*Interruption*]

**Sen. Mark:** The UNC.

**Sen. The Hon. M. Abdul-Hamid:** Perhaps under inspiration. It sought to address the inequity posed by what was commonly referred to as “blind pension”, which was a grant equivalent in size to the old age pension grant. This grant was payable only to persons 40 years and over, who were visually impaired to the extent that they were unable to earn a living. It was believed that the original grant discriminated against persons with other types of disabilities that were detrimental to their earning capacity.

The disability assistance grant caters for all persons 40 years and over who are deemed disabled and needy. The introduction of this grant recognized the peculiar financial challenges faced by persons with disabilities; for instance, accessibility to transport, medical services and medicine. This grant also sought to provide additional assistance over and above that payable to the general grant of public assistance to a single individual, which is currently \$222. At present, the disability assistance grant is \$600.

The Bill is self-explanatory, simple and straightforward and the validation is before us. Clause 3 will amend section two of the Act to introduce a new definition of the word “minister”. Clause 4 seeks to amend section 11(a)(3) of the Act by increasing the disability assistance from \$520 to \$600 per month with effect from October 01, 2001. If you take note of the dates, you will see that this, too, constitutes a failure on the part of the last regime to perform its duties, in circumstances where there was a proper functioning Parliament and the presence of a Speaker. [*Desk thumping*]

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Clause 5 seeks to validate the increased payment of disability assistance in the amount of \$600 made to persons on or after October 01, 2001. This Bill is straightforward and I need not say anymore.

Madam President, I beg to move.

*Question proposed.*

**Sen. Dr. Jennifer Kernahan:** Madam President, I am very happy to be given the opportunity to make a contribution on these two Bills before us today, the Old Age Persons (Amdt. and Validation) Bill and the Public Assistance (Amdt. and Validation) Bill.

I am sure all of us in this room will agree that over the last 20 or so years our society has undergone radical changes with respect to family relations and the way that we have traditionally dealt with our elderly and, therefore, it is even more important now, more than ever, that we in this country have the sort of political direction and leadership which will enable our elderly to survive in this new and, I dare say, degenerate climate in which they find themselves. We find ourselves in a very social climate which is very, very inimical to the young, far less to the old who are much more vulnerable.

This political direction, which is necessary at this time, I am afraid that our elderly are not going to enjoy the type of direction, vision and compassion that is necessary. But I have no doubt that with the current events in the society, where we see, practically, this administration facing a situation where it is crumbling without taking cognizance of what is happening around it, that relief for the elderly is much closer than they would have imagined.

The question of increase in old age pension must be seen in the context of good governance and of a government committed to the care of our elderly, especially in the context of a society that is ageing appreciably as noted by the experts.

The Executive Secretary of the United Nations Economic Commission for Latin America and the Caribbean, José Antonio Acampo, has been quoted as saying that the ageing of populations, let me point out, is a global phenomenon and that the ageing of the populations constitute one of the central concerns for social development in the first decades of this new millennium. So this is a global phenomenon, but the statistics indicate that in developing countries, and in our country particularly, this phenomenon is even more rampant than in other countries.

In Port of Spain in the year 2002, at the close of the celebration of the United Nations International Year of Older Persons, it was pointed out at the closing

conference that there are close to over 80,000 persons over the age of 65 in Trinidad and Tobago and that by the year 2005 it is projected that persons over the age of 60 will make up over 17 per cent of the population. That is extremely high and it has extremely wide significance and implications for the way we deal with the social implications and for the way we deal with the elderly and the plans that we as policy makers, and the Government especially at this time, have to put in train to deal with the whole question of an ageing population and the imbalance between the elderly and the young and the productive sectors of the population which is between 15 and 65; the young being defined as those non-productive of the population, below 15 years of age.

Madam President, this trend, as I said before, has very social and economic implications and it is not unique to Trinidad and Tobago. It is not unique to a developing country, but we are experiencing it at a faster rate than others. Kerstin Throne, an official of the United Kingdom Population Fund, dealt with the issue as follows: She has made the statement that the challenge to policy makers and service providers is to strike a balance between meeting the diverse needs of the different age groups while creating sustainable institutions and far-reaching strategies for accelerated development and eradication of poverty and social inequities. As the demographic transition occurs more rapidly, the time to anticipate the needed adjustments gets shorter. So I submit that this is the challenge that this Government faces today. I notice that the hon. Minister did not mention these very serious issues.

By the year 2020 it is expected that this demographic shift will occur, in Trinidad and Tobago before the year 2020. We are aspiring to developed country status by the year 2020 and, therefore, the plans, policies and programmes that we are going to put in place now must take into consideration this important shift in the ageing of our population. Therefore, if the Minister and this Government does not take cognizance of these serious issues which are being debated worldwide, which the Caribbean charter has enunciated—and I will go into that later—then, frankly, they do not know what they are doing.

Specifically for the edification of the hon. Minister, the statistics say that in our country the under-15 population is growing at a rate of .2 per cent, while the over 65 is growing at a rate of 3 per cent and rising. So right away you see the dichotomy and the problems that we are apt to face in the future. Madam President, in order to give us an idea of the gravity of this situation, the world population report published by the UN in 1998 notes that while, for example, in Sweden it took them 84 years for the over 65 group to increase from 7 per cent to

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14 per cent, they are saying that the same change may take place in less than 20 years in developing countries. This is grave for us. It has serious implications for what the Minister has to do now, the policies and programmes which are to be put in place now in order to effect the shift in the focus of social delivery programmes which we need to take us into developed country status. We are going nowhere without an understanding of the issues.

The Minister and the Government have shown clearly today that they do not have the slightest understanding of the issues. Instead they have come with this long “nancy” story about this Government having a long history of dedication to the aged and to the population of this country. Is this why our old age pensioners, under the Manning administration of 1991—1995, received a \$7 a year increase in their old age pension while inflation was skyrocketing during that period? Over 18 per cent inflation and the old age pensioners received \$43 over five years. Is this their track record of a long history of dedication to our elderly and the care of our ageing population? I shudder to think what they have in store for this population in the next five years. Of course, we know they are not going to last as long as five years, so we are sort of comforted by the blunder after blunder that this administration is making and so trying the patience of even the most placid among us.

In the context of the demographic shift projected by the experts in Trinidad and Tobago, I am very, very concerned that the policies and the attempts at policy formulation enunciated by the Minister here this afternoon have shown such a lack of research, as my honourable colleague has said, and a lack of grasp of the essential of the issues.

**Sen. Smith:** Lack of research.

**Sen. Dr. J. Kernahan:** But then it all comes together when we hear the voices of our distinguished retirees, for example, the President of the Government Workers Retirees Association, who has publicly said that after 40 years of governance by the PNM that the process of ageing in Trinidad and Tobago is a nightmare for far too many people who have contributed much to this country. This is actually a condemnation of the policies, programmes and non-action on the part of this Government over so many years. After \$60 billion has passed through this country, our retirees, our elderly who have given their lifeblood to this country, who have served in all walks of life in this country, have to face their twilight years under this horror of neglect and manipulation. They, themselves, have said that growing old in this country is a nightmare.

The UNC government had been here for only six years and therefore this nightmare, by and large, has taken place under the aegis of the PNM Government with its “long history of dedication” to the ageing and elderly in this country. [*Desk thumping*]

The issues of ageing have been enunciated and clarified at the Caribbean Charter on Health and Ageing on October 26, 1999. I would like the hon. Minister to go back to that charter which was developed by the Caribbean countries. This conference was held in Guyana and one of the guiding principles of the Caribbean Charter on Health and Ageing was having a coordinated systematic approach for ensuring the health and full integration and participation of older persons in the Caribbean society and economies.

This charter was developed in the Caribbean in consultation with international organizations like the Pan-American Health Organization (PAHO) and the World Health Organization. Some of the statements made in part by this charter, Madam President, I would like to quote:

“Older persons must be regarded as resources for development and be supported in seeking their physical, mental, social, emotional and spiritual fulfilment. They must also be regarded as having the right to live and die with dignity.”

We in the Caribbean have already recognized this. We have had this charter since 1999. It is a regional initiative undertaken by civil society based on the adoption at the conference of Heads of Government in the Caribbean Community in Antigua and Barbuda in 1977, which establishes human rights, freedom and dignity for all Caribbean people regardless of age.

We have made some progress in this regard. The Caribbean leaders have stated, very clearly, their position on ageing. What has happened is that over the years in Trinidad and Tobago because of this administration’s lack of vision and lack of care for our elderly, we have displayed that total lack of regard. They are trying to play catch up at this point in time, bringing these two Bills to Parliament; Bills which were at the initiative of the UNC which had shown the political will to lift the elderly and vulnerable groups in our society out of the doldrums and the pits of despair and neglect in which they were so firmly placed by the PNM administration over the years.

We are very clear on this side that increasing old age pension is not the major issue facing our elderly people. It is one of the issues facing our elderly people, but as the retirees have said, we have to understand that our old age pensioners are people on fixed incomes. When we have a government that is inept and unable to

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govern or manage its finances, as it so openly displayed in the 1991—1995 period, where inflation and unemployment were spiralling out of control, where the young lived off the old and so on, and yet they refused to do anything about the needs of the elderly, we know that we have to look at the welfare of our elderly in the context of a holistic approach with respect to other services that we need to provide for them to ensure, not only that they are made comfortable, but also that they are able to contribute to society, to give back to society all their experience and knowledge of what they have learned over the years and they are able to pass on and “culturalize” the young people coming behind them.

We have a priceless resource in the elderly of our country that we have traditionally and wilfully neglected. The way that young people now treat elder people, the lack of respect and the lack of regard, is a manifestation of a PNM culture that has been inculcated in this society over the last 40 years; the culture of neglect, disregard and lawlessness. Therefore, our young people have grown up under this culture and have imbibed it. This culture of the dependency syndrome where you demand what you want, you do not work for anything, that somebody owes you something, that you come here and you are owed a living, and this is what we have inculcated and developed in our youth.

This is what has made life so difficult for our elderly, because after they have worked all their lives and contributed to this country in myriad ways, they now have to deal with young people who do not have a culture of working and earning a living and developing in themselves a sense of pride in what they can do for themselves and their communities. All these programmes that we spend millions of dollars on—we borrow money from the banks and spend millions of dollars to give to them; they stand by the side of the road.

Therefore, they have no value for this money. They have not worked for it; they do not sweat for it; they buy sneakers worth \$1,500; they buy the latest, they go out and then their grandmothers have to feed them when they go home. Their mothers have to see about them and provide the basics. So this is the culture that we have inherited in this country after 40 years of PNM mis-rule. It seems to me that they do not understand the damage they have inflicted on this country and what they have done. They are boldly pressing ahead in the same vein; spending more and more money and corrupting our youths. Our youths today are totally corrupted. Our elderly are suffering under this culture of total disrespect on the part of the youths and total disregard for the elderly.

Madam President, this is the dilemma in which we find ourselves in Trinidad and Tobago in the year 2003. I think it is time that the Government try to make a

turnaround. Turn around your policy. Admit that what you have done over the last 40 years is not working. It has not worked and it continues to destroy our youth. They have alleged that they have a vision for this country to take this country to developed country status by the year 2020. I do not believe that putting young people, borrowing millions of taxpayers' money, burdening the fixed income people, pursuing inflationary financial and monetary policies will help the elderly and vulnerable groups who live on fixed incomes.

What is the track record of the UNC with respect to care of the elderly? In just six short years that we were in government, where we saw all the economic and social indicators in this country go through the roof, people were beginning, again, to have some hope. They were beginning to hope that we could come out of the cultural and social morass that we had found ourselves in. They were beginning to see the light at the end of the tunnel. Unfortunately, we have turned back. We have gone deeper and deeper underground and there is no light left in this country.

What has been the history? It was the UNC government that established a Senior Citizens Bureau in 1998 and initiated and promoted a campaign to discourage age discrimination in the private sector. It was the UNC government that doubled old age pension, that brought the plight of pensioners to the fore of national consciousness. With the introduction of the Appropriation Bill 2001—2002, “One People, One Nation, Leaving No One Behind” we did not leave our elderly behind and we specifically made several initiatives to aid our elderly and to ensure that they too enjoyed their place in the sun in this country.

This is what our Finance Minister presented to this honourable Senate with respect to senior citizens. We initiated that the 6 per cent insurance premium tax for individuals 60 years and over be removed; this is what we did.

“The personal tax allowance will be increased from \$30,000 to \$36,000 for taxpayers 60 years and over;”

A UNC initiative.

“Bus service will be provided to all individuals over 60 years on all PTSC buses on all routes at any time, any day; and

Finally, old age pension will be increased by eighty dollars for all pensioners. Pensioners who currently receive \$720 per month will receive \$800 per month and pensioners who receive \$620 per month will now receive \$700 per month.”

This is the initiative of a UNC government that cares about people and it is in stark contrast to the policies and programmes of the Patrick Manning administration

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1991—1995 which increased the old age pension by a measly \$43 over five years. [Crosstalk] Disgraceful!

I do not understand people who could still stand and face the population and talk about “we care” in light of the long history of neglect; in light of the ample evidence that they do not care in the least.

**Sen. Mark:** About themselves alone.

**Sen. Dr. J. Kernahan:** That is the fine print. They care about themselves alone. [Crosstalk]

It is clear that when you come to this honourable Senate as a government which has been recently elected which purports to enjoy the confidence of the people of this country and which alleges that it is going to take this country to developed nation status by the year 2020, you must come having done your homework. You must demonstrate to the people that you understand the population that you are dealing with and the potential problems and you are putting the required programmes and policies in place to pre-empt the manifestations of these problems.

So when you come to the Senate and bring a policy statement, as the hon. Minister attempted to do, you have to do it in the context of understanding what you are going to do with respect to the special issues of health care for the elderly, of the price of medical equipment and medical supplies for the elderly. How do you reach people who are, for the most part, housebound, who need the sort of home care services based in their communities, who must be given the opportunity to remain in their homes and communities and live and die with dignity?

Madam President, how do you address the issues of these fixed income vulnerable groups and the whole question of a society which now would be required to support over 17 per cent of the population? How do you address the economics of funding pensions, an extremely fundamental and important issue that has not been mentioned by the hon. Minister in his attempt to give us some idea of what kind of policy the PNM Government has in place to take us into 2020? How do you deal with the question of housing and the question of affordable housing for elderly people, the kind of concessions that you are going to make with respect to this vulnerable group in society?

How do you deal with the question of employment of these people? People who can still work, people who have the will to work, people who have the knowledge and who are able to give back to their societies? What kinds of



programmes, organizations and institutions are you going to set in place in order to harness all the will, talents and energies that we have among us? How are you going to deal with the question of community services within the context of community development and social delivery services with special emphasis on the elderly? In effect, as the Caribbean Charter has indicated: How are you going to help your elderly to maintain their health, independence and dignity in their homes and communities?

Madam President, these are the questions that the elderly in our society wish to have answered by this Government, which purported to have answers to the questions. That is why they came to the people and asked to be elected; they have answers to the questions, or so they said. Therefore, we on this side demand that they do this; that they fulfil their responsibility in answering these questions, in bringing these issues, in engaging the population in the solution of these problems and not just skirt around the issues and engage in flippant political crosstalk. Our purpose here is not to engage in flippant political crosstalk when you come as a minister to present your policies and programmes to the population. Your aim here is to tell the population what you intend to do for them and how you intend to engage the population in solving the serious issues that face our country at this time.

We have a tremendous challenge. I say “we” because we are all in this together. As people of this country we have nowhere to go. The ordinary citizens have nowhere to go; we are all in this together and everything that affects one section of the population affects all sections of the population. We are part of that group of people who are ageing. The question of an ageing population has very much to do with us here, as we sit in this Senate the next 10, 20, 30 or 40 years, where we are going to face the very issues that are presented here today. Therefore, it is important that we take these things seriously; that policy makers take these issues seriously and rise to the challenge to address these issues.

I will agree with my colleague, Sen. Montano, that the present administration came into power with a very short moral leg to start with; with a pitiful stump to start with, and with just a few months in office we have seen that pitiful stump reduced to a bleeding, minuscule lump, which will disappear and wither away in the next few months. They will not have any moral leg to stand on at all.

I believe that this administration has duped the population. They have promised that they have the political will, the wherewithal, the vision and the intellectual capacity to develop this nation and take us to developed country status. Every time we come to this Senate, they demonstrate their total incapacity

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to do so and the population is taking note of this and our people will speak very, very shortly, Madam President, I have no doubt about that.

With respect to these Bills, these are initiatives of the UNC. We have always supported the fact that our elderly should be given the sort of status and recognition and should be treated in a fashion which they deserve, because of their contribution to the society at all levels. Therefore, we have absolutely no problem with supporting these Bills, but we need to see a wider context in which these Bills are carried forward; the implementation of these Bills. We want to see the Government come to the country and enunciate a wider policy, far-reaching policies and programmes which will, indeed, give comfort and succour to the ageing population of Trinidad and Tobago.

Madam President, I thank you.

**Madam President:** I just want to remind hon. Senators that they can contribute on both Bills.

**Sen. Ambassador Christopher Thomas:** Madam President, I am not going to enter into debate on this subject. I simply want to make an observation to the hon. Minister in the light of the very progressive social programmes that he has outlined.

When I looked at the Bill under old age pension, the first thing that struck me is that the term itself is as old as the hills. I wondered, in light of the social programmes that he has outlined, whether he would accept in this honourable Senate that we change that term, modernizing it; it seems very anachronistic. I think in terms of “senior citizens pension”, rather than old age pension.

Thank you.

**Sen. Wade Mark:** Madam President, I rise to make a small contribution on this matter. I want to congratulate my colleague. I think this is the first time he has presented a bill in his capacity as the Minister of Social Development. I think that he has a lot to learn and we will guide him as he goes along. *[Laughter]*

Madam President, truly I rise to speak on this particular matter. When I look at the budget presentation of 2003 at page 8 of the appendices, I see:

“The Government agreed to a further increase in OAP...”

That is the UNC government at the time.

“from \$800 per month...” *[Interruption]*

I beg your pardon.

“The Government agreed...”

That is the present Government.

“...to a further increase in the OAP from \$800 per month to \$1,000 per month with effect from January 1<sup>st</sup>, 2002. However, due to the non-convening of Parliament, the required legislative changes necessary for the increase of the OAP to \$800 and \$1,000 respectively were never effected.”

In other words, old age pension was, in fact, paid at the rate of \$800 per month from October 01, 2001 to December 31, 2001, and then at a rate of \$1,000 per month from January 01 to the present—*[Interruption]* Yes, I am coming to it. *[Crosstalk]* I am coming; be patient—although the requisite legislative changes have not yet been made.

“Such payments must, therefore, be legally sanctioned by Parliament.”

Therefore, the Old Age Pensions Act, which is what we are dealing with, would need to be amended.

Now the moral behind this whole exercise and what I would like to indicate here is this: Whilst the UNC passed a budget, as you would recall, back in the year 2001, because of the difficulties that we experienced within—*[Interruption]*—we had to call an election, but what was significant is that that particular increase from \$720 to \$800 was approved by both Houses of Parliament.

Madam President, I was sitting, where you are now, at that time, but in the capacity of Vice-President, like my colleague there, so I recall clearly debating that particular measure and it was passed by both Houses of Parliament. Obviously, because elections were held and, of course, no Parliament was convened, we did not have the opportunity to amend the Old Age Pensions Act at that time. *[Crosstalk]* I challenge any Senator on the other side to dispute this reality, but the records will show that we did increase old age pension from \$720 to \$800. I like my colleague, Sen. Thomas’ contribution, we should move to “senior citizens” of this Republic. *[Laughter]* *[Crosstalk]*

The point I wish to make this afternoon is that the PNM Government proceeded; they did not come to the Parliament. They did not have a budget, but on an election promise, which they stole from us, as they recall—*[Crosstalk]*—The UNC had proposed \$1,000, everybody knew that, but at that time the PNM, desperate as they were then, were just copying ideas, just regurgitating, and brought to the population the \$1,000 when they were illegally installed as government back on December 24. *[Crosstalk]*

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The point I make, Madam President, is that the PNM paid \$1,000 from \$800, \$200 more, to old age pensioners, but without the legal requisite. [*Crosstalk*] No, no, no. It was different. [*Crosstalk*] It was a different arrangement. All that was done in order to win votes and fool people. [*Crosstalk*] We are happy, as a party, that our enlightened policies on social development, policies and programmes, over the six years that we were in power, [*Crosstalk*] that the PNM was able to, at least, follow in the path of the UNC. [*Crosstalk*]

As my dear colleague said, the PNM, this so-called caring, dedicated Government and party, was there. Sen. Yuille-Williams was there. My colleague, Sen. Dr. Saith was also in the Parliament at that time. And for almost five years—well, four, before Mr. Manning called a snap election and lost—[*Crosstalk*] Madam President, at that time you were the Minister of Social Development, I recall. Under the PNM watch, it was a mere \$26 [*Crosstalk*] and this was a government that had \$60 billion. [*Crosstalk*] From 1974 right until 1982 you had \$60 billion and the UNC came into power [*Crosstalk*] and in less than six years we were able to double old age pension; from \$356.12 to \$800. We did that. [*Desk thumping*] And the PNM, in an effort to hoodwink and con the population, went from where we were to \$1,000. As I said, we have no problem with that. [*Crosstalk*]

I think that the PNM did not do that out of any love, because that is a very cold and chilly administration, as you know. [*Crosstalk*] They are very cold and very brutal in terms of their policies. We only have to look at what they have done to the doctors today and we could see the brutality of the PNM. Forcing people to work without contract; imagine that! [*Crosstalk*] That is the PNM today.

So, Madam President, we are dealing with two Bills here, one on old age pension and one on public assistance and as I said, we have no problem with the increases. But you know what? Look at the budget speech again. This hypocritical regime—after they won and hoodwinked the population, in 2003, Mr. Manning, the hon. Prime Minister and Minister of Finance, told the country, when the elderly, the senior citizens were expecting an additional increase in old age pension for voting for the PNM in the year 2000 that, “We are thinking about further increases in the not-too-distant future”. But you know what, Madam President? While they are thinking about further increases in old age pension, they gave away \$250 million to ExxonMobil. [*Crosstalk*] While that is taking place, do you know what takes place? The National Flour Mills, in a most brutal and cold fashion, has increased the price of flour. [*Interruption*]

**Sen. Joseph:** Speak to the President.

**Sen. W. Mark:** I am speaking to the President. Sometimes I shift to you, my friend. [*Crosstalk*] You are my friend, you know. I shift to you all the time. [*Crosstalk*] You are my former teacher; I cannot forget you my brother. [*Laughter*]

Here it is we have granted a \$200 increase to our elderly in this country, and we applaud that, because we feel that the elderly deserves it. In fact, if we were in power, we would have reduced the access to old age pension from 65 years to 60 years. [*Desk thumping*] That was our commitment to the population; we wanted to reduce the accession to old age pension from 65 years to 60 years. [*Crosstalk*]

**Sen. Dumas:** Would the Senator want to give a comment on whether he was also the person who suggested that the public servants should go to 65 years before they access pension rights under the public service? [*Crosstalk*]

**Madam President:** Sen. Mark, I think you will have to answer that question after the tea break. This House is now suspended for tea and will return at 5.00 p.m.

**4.30 p.m.:** *Sitting suspended.*

**5:03 p.m.:** *Sitting resumed.*

**Sen. W. Mark:** Madam President, I was on the point where I was indicating that we need to pay attention to the rising cost of living, because whilst the elderly would have enjoyed a \$200 increase in old age pension in the last budget—the increase that was granted in the year 2002—the reality is that the cost of living continues to rise. In fact, I am not a person who goes to the grocery often but I have been doing some analysis of the various prices and I have also gathered some information from citizens who have been going to the groceries and supermarkets.

What is happening is because of the liberalized market economy that we now have in this country, and the corporate sector, the business entrepreneurs, have the right to increase prices as they see fit, and what is taking place is that every other week one goes to the supermarkets, the prices are on the rise. So in other words, prices of legumes, peas and coffee, which are basic commodities, are on the rise.

For instance, when the Government is saying to us that subsidies are things of the past because of globalized markets, because of the liberalized economy that we have, we can no longer effect controls on these commodities. The reality is that there has to be some mechanism in place to give some kind of protection to the poor, the destitute, the dispossessed and the elderly in our country and, therefore, we have to find a mechanism. Maybe the time will come again when

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the Government and governments of the world would need to look at subsidies for poor people, because you cannot have a situation where the cost of living continues to escalate and there is no mechanism to protect the poor, particularly those who are vulnerable and exposed.

In fact, I read sometime ago, Madam President, where the Governor of the Central Bank, Mr. Ewart Williams, indicated that because of wage stability in this country due to the responsible approach taken by trade unions in over the last four years, we have had a steady growth rate and a reasonable level of price stability in Trinidad and Tobago because the average wage increase is between 8.5 per cent to about 12 per cent. That is the average rate increase that we have in Trinidad and Tobago today.

We have to do things to safeguard what I call this runaway horse because whatever increases we offer, whether it is the minimum wage from \$7.00 to \$8.00 and up, or whether it has to do with old age pension from \$800 to \$1,000 for the elderly, the vulnerable and the unprotected, the reality is, if you do not keep close range on the prices of basic goods and services it will eventually undermine and erode our standard of living in this country. This is why when we look at this \$200 increase for the elderly and senior citizens of this country which started in January 2000, and we look at the present period, I am sure—when we make a proper calculation, and look at the cost of living and the increase in pension, and the erosion that has taken place—that the \$200 might have been wiped out already because of what is taking place in this economy.

Madam President, what is even worse—and I speak on behalf of the senior citizens, the elderly—the reality is that this recent unconscionable increase in the price of flour is objectionable.

Madam President, I recalled in 1997 there was a corruption ring operating down at the National Flour Mills (NFM) and when we took action against some of the persons who were involved in that matter, we were accused of taking advantage of black people, and the United National Congress was accused of being on a witch hunt against African people as if African people cannot be corrupt. They say if African people are corrupt, you must accept that. That is what the PNM was telling the country. That if you are black and you are an African, you could “thief”, you could rob the people. That is how it came across because everything was another black man bites the dust. So in other words, my complexion was a passport to rape the Treasury.

Madam President, I am arguing that we need to call for an investigation into the cost of living in the context of old age pension. Would you believe I read in

the newspaper today where one Mr. Mayors, a stockbroker, was saying that the reason we are in this difficulty at NFM is that there is a situation—I do not know if it is true—I am just saying that arising out of our experience of 1997, I believe there is some merit to what he is saying. We must be able to safeguard our poor people and the elderly.

Madam President, the price of flour going up by 22 per cent and our hon. Prime Minister is telling the country that is good for one's character, it will give us more discipline when we go to the shop. I have never heard such absurdity emanating from the lips of an individual since I have been around. The population was just massacred, butchered with a 22 per cent increase and the hon. Prime Minister says yes, that is a judicious move, when you go to the grocery you will buy less flour. It does not make sense, but that was the Prime Minister's response.

I am calling on Dr. Lenny Saith as the man of the moment in the Government after the Prime Minister, as the second man in command of the administration. I know that for a fact, and after him is Howard Chin Lee, the Minister of National Security, that is the third man in charge. Joan, you are "nutten" they just have you there. But the real money men in the party are Dr. Lenny Saith, Naz Ahmad and this hon. gentleman, Sen. Chin Lee. [*Laughter*]

Madam President, I am coming back to the point, but quite frankly, I really feel that there is need for us—and I want to ask Dr. Lenny Saith in particular to look into this matter. We should investigate what is taking place at the National Flour Mills because we understand that they buy the flour on the spot market rather than getting involved in long-term contracts. I understand if they get into long-term contracts— [*Interruption*] The elderly, the retirees, people who like dumpling and roti, all these things are going to increase. [*Interruption*] Forget about time, we are here to talk about duty today, the elderly, the pensioners, the poor and the dispossessed, that is what we are here for. Time does not matter to me, Madam President. I have been here for longer hours; 1.00 a.m., 2.00 a.m. but we will not go that long. I give you the assurance.

Madam President, I honestly feel that if hon. Dr. Lenny Saith could pay attention to that question, it will go a long way. As we deal with the elderly in this country, the Prime Minister and Minister of Finance is on record as saying on page 24 of the budget statement that evaluation is being undertaken of the National Insurance Scheme (NIS) pension and the results would be available within the current fiscal year. He went on further to indicate that new pensions would be paid by the National Insurance Board (NIB) with parallel payments made under the old age pension.

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Madam President, do you know after you make 750 contributions under the NIS, you are entitled to pension? But it is so low, you get between \$450 to a maximum of \$500 a month. I appeal to the Minister of Social Development to tell us this evening when we are going to have this report or evaluation completed.

In addition to that, when would these elderly who are receiving pension benefit from the NIB be able to reach the \$1,000 mark as was promised? We have to deal with those people too because there are tens of thousands of people who have contributed to the NIS and all they are getting is a measly \$400 to \$500 a month. I think that is something we really need to look into.

Another area that we have advocated and have no difficulty in supporting the PNM Government in, illegitimate or immoral as it may be, it does not matter—we feel that it is important to increase the ceiling, so where it is now \$8,500 to qualify for old age pension, we are advocating a \$12,000 ceiling. *[Interruption]* You have made the amendments? I did not look at them, I was on my feet at the time, but I thank you. That is very good. I congratulate you on that one. That is very important because that is one area we are very strong on and I welcome the Government's decision to deal with that.

Madam President, my colleague, Sen. Dr. Kernahan made the point in her contribution that apart from old age pension, and public assistance which I have to come to—public assistance is something with which we have to deal because I find the sums that are offered are still minimal, and very limited so we need to improve on the sums that we allocate to public assistance.

We would like to know from the hon. Minister of Social Development what is being done to assist the elderly in accessing medicine. We heard so much about it in the budget, that the elderly would be able to access pharmaceutical products and the Minister at that time outlined the brands they would have been able to access, but I understand nothing is taking place, and I do not know if the Minister of Social Development could tell us today when the Minister of Health intends to effect this measure to at least provide the elderly with access to basic pharmaceutical products. That is a very important area. We also need to deal with institutions.

Madam President, you know we all have to get old, in fact, there is equality and democracy in death. That is the only time I see equality. Everybody has to die. We are going to get old and I am saying that in Trinidad and Tobago we do not have institutions or geriatric homes, or whatever modern name you want to give them. I think that we need to encourage the Government, or the Government must encourage the private sector, but I also believe that the State has a leading role to play in that particular regard.



Madam President, I have seen senior citizens homes in this country where the elderly are not being properly taken care of. I see where their families have abandoned them, and we do not have the Government intervening to provide proper supervision so that standards are established for care of the elderly in our country. That is an area that we need to pay attention to. There are too many senior citizens homes in this country that are not properly supervised and these elderly people are being taken advantage of, and they could be our mothers, grandmothers and grandfathers. We need to pay attention to these homes for the elderly because most of the people who occupy them are people who are accessing old age pension. I know that for a fact, and the moneys go directly—like they have an arrangement with the Ministry of Social Development where, either through the children, or whatever—to the actual home or the owner of that home.

Therefore, I am asking the Government to pay some attention to the construction if necessary, or the encouragement of entrepreneurs because many persons may not want to get into that kind of investment. I do not know, the returns might be a bit limited for them therefore, the Government might have to undertake the responsibility to either construct homes for the elderly, and at the same time, try to establish standards and policies for those that are already in existence so that people would know there are guidelines and regulations to deal with the elderly in this country.

There should not be small 12 x 12 rooms with about four or five beds where the elderly are crowded into like they are in jail. It does not make sense and I make a plea this evening, because if we are dealing with old age pension, that is a good thing, if we are increasing old age pension, that is a good thing as well, but we must take into account after they are given \$1,000, what next? It is like the Community Environmental Protection Enhancement Programme (CEPEP) where you borrow \$100 million and the people get plenty money. The Government is doing that, it is not the business people who are involved in that, and I do not think at the end of the day—with all respect to my good friend, hon. Rennie Dumas, who is the Minister in charge of the Solid Waste Management Company—and I do not think Dr. Lenny Saith, who was an entrepreneur some years ago and got into some serious difficulties and he sought forgiveness—the important thing is that we know if you are talking about entrepreneurship it has to be made of different stuff, you cannot be giving out money to people if you cannot measure people's performance. At this point in time it is not worth it. That is the society in which we are living today. You either change or perish. That is the reality. So if you are going to give out \$100 million in CEPEP, how are you going to measure the returns on that investment? And I do not get the impression

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that the Government has a mechanism, or some kind of policy to deal with that question, but I will deal with that on another occasion.

All I want to do is ask the Government to pay a little more attention to the elderly in this society and I want my colleague, Sen. The Hon. Mustapha Abdul-Hamid, to pay attention to homes for the elderly. If he has to construct them, construct them. Do not give away the people's money to ExxonMobil, take that same money and subsidize flour for the elderly, or build some homes for the elderly. That is what I would suggest to the hon. Minister.

Madam President, I am happy that the Government has supported our call over the years for the ceiling to rise from \$8,500 to \$12,000, but in terms of public assistance, we feel that the sums that are being offered are a bit limited and measly. I think that the Government needs to pay more attention to increasing that particular sum. I know, for instance, with the world economy as turbulent as it is today, and the instability that is now visiting our country as a result of a number of factors, I believe that the Government would have to pay some attention to addressing this question of providing some level of increase in the contribution it now makes to public assistance recipients in this country.

I think the increase from \$520 to \$600 was what we had proposed in 2001 and we were hoping that the hon. Minister of Finance in his last budget statement would have increased the assistance to the recipients of public assistance, but everything apparently was frozen.

Has there been an increase in disability? No, it has not been done and I am saying we have a large population, a significant number of our people in this country are disabled and physically challenged and there is need to have an improvement. I am proud to know that the UNC introduced into this country a disability grant, which was never there before, and we were there for only six years and you all were there for 35 years.

Madam President, as far as I am concerned, we would always support progressive social measures. We feel these measures have to be supported. We want to encourage the Government to improve on the allocation and take time off to look at these various essential programmes that are available, about 20 or 30 of them, and see to what extent—we could not really reorganize them as Dr. Saith is saying—we can have efficiencies developed in those programmes.

As I said, I would not be too long this evening, I just want to ask my colleagues to pay some more attention to the elderly, and pay more attention to those recipients of public assistance and hope that in the next budget of 2004, we

would be able to have an increase in the allocation to the elderly in the context of pension contribution from the State. By the next budget we would have the contribution given to citizens who have made more than 750 contributions to the NIS so they can get their \$1,000 every month and we hope that public assistance recipients would be able to get a more reasonable increase in the next budget as well as persons who are disabled and/or physically challenged in our country.

Thank you very much, Madam President.

**The Minister of Social Development (Sen. The Hon. Mustapha Abdul-Hamid):** Thank you Madam President, and thanks to all the Senators who contributed. In particular, I thank Sen. Mark for his very entertaining performance and for his offer of guidance to me, but to take a note that there is one aspect of political life on which he cannot offer any guidance and that is how to stay in government. [*Interruption*]

I would also like to remind him that yes, their administration did propose a \$1,000 increase in pension in the year 2000 and only managed to deliver \$800, and we promised once and delivered immediately. [*Desk thumping*]

On the question of research, I would like to assure this honourable Senate that the Ministry of Social Development has been designed exclusively perhaps, and dedicated to research and policy formulation and to that end, given the request for research, I would like to make this Senate aware of the fact that we already have—as part of our research agenda—completed two consultations on ageing; towards development of a national policy on ageing. The first which was on October 01, 2002 was done in Port of Spain for the stakeholders in Port of Spain; the second was at Naparima Bowl, which I attended, for stakeholders in south and central. We are proposing to have consultation for stakeholders in east Trinidad later this month and, we will also hold a consultation session in Tobago during the month of February. That consultation forms part of our research exercise because we are in the process of gathering information for people who are actually involved in the care of the elderly, and elderly persons themselves. So when we design a national policy on ageing it would be one that would reflect the best ideas from among all those who are involved in care of the elderly.

Madam President, the Bill as I said before, is elementary and straightforward and I thought I would just address those few concerns that were raised. In addition, and in terms of monitoring of homes, our Division of Ageing which I said would be established in the first quarter of this year, hopefully would be responsible for ongoing research and a number of other areas including monitoring our homes and general care and issues involving the elderly.

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We have produced a handbook on procedures and requirements for application for old age pension, which should be quite useful to older persons who would have qualified for old age pension and have difficulties in accessing the service. In order to provide some relief, this very useful handbook has been compiled.

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

*Question put and agreed to.*

*Bill accordingly read a second time.*

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

*Senate in committee.*

*Clause 1.*

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

**Sen. Seetahal:** Madam Chairman, clause 1 reads, “Old Age Pensions (Amendment and Validation) Bill, 2002”. Should it not be 2003? The one you have would be the amendment, but it does not amend clause 1. The original clause 1 is 2002, and I believe it should be 2003.

**Sen. Morean:** Madam Chairman, wherever it appears in the Bill, we ask that it be amended to read:

“Old Age Pensions (Amendment and Validation) Bill, 2003”

*Question put and agreed to.*

*Clause 1, as amended, ordered to stand part of the Bill.*

*Clause 2.*

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

**Sen. Morean:** Madam Chairman, I beg to move that clause 2 be amended as circulated.

First Column

Second Column

Clause

Extend of Amendments

2

Delete and substitute the following:

Section 3  
Amended

Chap.  
32:03

2. Section 3 of the Old Age Pensions Act is amended-

(a) in subsection (1) (a) by deleting the words ‘seven hundred and twenty dollars’ and substituting the words ‘one thousand dollars’ with effect from 1<sup>st</sup> January, 2003;

- (b) in subsection (1)(b) by deleting -
  - (i) the words ‘seven hundred and twenty dollars’ and substituting the words ‘eight hundred dollars’ with effect from 1<sup>st</sup> October, 2001 to 31<sup>st</sup> December, 2001; and
  - (ii) the words ‘eight hundred dollars’ and substituting the words ‘one thousand dollars’ with effect from 1<sup>st</sup> January, 2002; and
- (c) in subsection (4) by deleting –
  - (i) the words ‘five hundred and twenty dollars’ and substituting the words ‘ six hundred and twenty dollars with effect from 1<sup>st</sup> October, 2000, to 30<sup>th</sup> September, 2001;
  - (ii) the words ‘ six hundred and twenty dollars’ and substituting the words ‘seven hundred dollars’ with effect from 1<sup>st</sup> October, 2001 to 31<sup>st</sup> December, 2001; and
  - (iii) the words ‘ seven hundred and twenty dollars’ and substituting the words ‘nine hundred dollars’ with effect from 1<sup>st</sup> January, 2002.’.

**Sen. Mark:** Madam Chairman, I had asked during my contribution whether the ceiling had increased from \$8,500 to \$12,000 and I was given the assurance by—

**Sen. Morean:** From \$720 to \$1,000, that is the amended clause 2(a), the first amendment. One thousand dollars a month is \$12,000 a year.

Madam Chairman, we are dealing with the monthly figure, which is \$1,000, so the annual is \$12,000. I think that is what you were asking.

**Madam Chairman:** Sen. Mark asked if the earning per year at present is \$4,800. If you earn more than that you cannot get old age pension.

**Sen. Morean:** No. It has gone to \$720. That is the ceiling that is not the basic or the monthly.

**Sen. Mark:** The basic is \$7,200?

**Sen. Morean:** It is \$720 per month and that ceiling now goes to \$1,000 per month with effect from January 01, 2003.

**Sen. Mark:** I am trying to understand. Are you saying for instance if someone is earning less than \$12,000 a year—

**Sen. Morean:** Deal with it monthly.

**Sen. Mark:** I am asking, whether it is a month or a year, if somebody is earning \$12,000 or less a year, will that person be able to qualify for pension in Trinidad and Tobago? That is what I want to find out.

**Sen. Morean:** The answer is yes.

**Sen. Mark:** Thank you.

**Sen. Seetahal:** Madam Chairman, the \$1,000 increase that is now referred to, would that be clause 1(a) on page 1 of the new amendment? Is that it?

**Sen. Morean:** That is the ceiling.

**Sen. Seetahal:** Right. The pension of \$1,000 that people are now going to get, is that the pension?

**Sen. Morean:** No, that is the income ceiling. That is what we are dealing with first and then you go down the road.

**Sen. Seetahal:** Lower down is where we are dealing with the actual pension? Some people do not understand that because of the different sections that are being amended.

**Sen. Saith:** *[Inaudible]*

**Sen. Morean:** Yes. Then you deal with the validation.

*Question put and agreed to.*

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

*Clause 3.*

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

**Sen. Morean:** Madam Chairman, I beg to move that clause 3 be amended as circulated.

**Sen. Seetahal:** Madam Chairman, page *iv* of the new document, at 3 on the left, there is (a), is that the amendment to clause 3? I thought it was a subclause (3) of clause 2.

**Madam Chairman:** No, it is not.

**Sen. Seetahal:** Okay.

*Question put and agreed to.*

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

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

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

**PUBLIC ASSISTANCE (AMDT. AND VALIDATION) BILL**

*Order for second reading read.*

**The Minister of Social Development (Sen. The Hon. Mustapha Abdul-Hamid):** Madam President, I beg to move,

That a Bill to amend the Public Assistance Act, Chap. 32:03 and to validate certain things thereunder, be now read a second time.

*Question proposed.*

*Question put and agreed to.*

*Bill accordingly read a second time.*

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

*Senate in committee.*

*Clause 1.*

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

**Sen. Seetahal:** Madam Chairman, Public Assistance (Amdt.) Bill, instead of 2002, 2003. The same amendment as the first one.

**Sen. Morean:** Madam Chairman, I beg to move that clause 1 be amended by substituting 2003 for 2002.

*Question put and agreed to.*

*Clause 1, as amended, ordered to stand part of the Bill.*

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*Clauses 2 to 5 ordered to stand part of the Bill.*

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

*Senate resumed.*

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

#### ADJOURNMENT

**The Minister of Public Administration and Information (Sen. The Hon. Dr. Lenny Saith):** Madam President, I beg to move that the Senate do now adjourn to Tuesday, January 28, 2003 at 1.30 p.m.

Madam President, we propose to take the Variation of Appropriation Bill on that day which will be circulated to Senators in due course. I know it is Private Members' Day, and, with arrangement with Senators of the Independent Bench, especially with Sen. Prof. Ramchand, we have agreed to deal with Government Business on Tuesday, January 28, 2003 and have Private Members' Day the following week.

*Question put and agreed to.*

*Senate adjourned accordingly.*

*Adjourned at 5.50 p.m.*