

*Leave of Absence**Tuesday, March 25, 2003***SENATE***Tuesday, March 25, 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 to the following Senator from the sitting of the Senate: Sen. The Hon. Knowlson Gift for the period March 23—29, 2003.

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 GEORGE MAXWELL RICHARDS,
President and Commander-in-Chief of the
Republic of Trinidad and Tobago.

/s/ G. Richards
President.

TO: MRS. MAGNA WILLIAMS-SMITH

WHEREAS Senator Knowlson Gift is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, GEORGE MAXWELL RICHARDS, 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, MAGNA WILLIAMS-SMITH, to be temporarily a member of the Senate with effect from 25th March, 2003 and continuing during the absence from Trinidad and Tobago of the said Senator Knowlson Gift.

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 24th day of March, 2003.”

OATH OF ALLEGIANCE

Sen. Magna Williams-Smith took and subscribed the Oath of Allegiance as required by law.

KIDNAPPING BILL

Bill to provide for the punishment of kidnapping for ransom and other related offences and for matters incidental thereto, brought from the House of Representatives [*The Minister of National Security and Rehabilitation*]; read the first time.

PAPERS LAID

1. Mutual Assistance (Agreement Between Trinidad and Tobago and the United Kingdom) Order, 2003. [*The Minister of Public Administration and Information (Sen. The Hon. Dr. Lenny Saith)*]
2. Mutual Assistance (Agreement Between Trinidad and Tobago and the United States of America) Order, 2003. [*Sen. The Hon. Dr. L. Saith*]
3. Mutual Assistance (Agreement Between Trinidad and Tobago and Canada) Order, 2003. [*Sen. The Hon. Dr. L. Saith*]

Sen. The Hon. Dr. L. Saith: I wish to inform Senators that the Statutory Instruments Committee met and considered the Orders. The minutes have been circulated to Senators.

4. Report of the Teaching Service Commission for the year 2001. [*The Minister of Education (Sen. The Hon. Hazel Manning)*]

ANSWERS TO QUESTIONS

Sen. Wade Mark: Madam President, before I put my question, may I seek your indulgence in terms of a time frame for written responses to questions Nos. 2 and 3 which have been on the Order Paper, as you know, for a couple weeks well and there are no dates. I do not know what is taking place yet. They are listed in the supplemental, the same Order Paper, Madam. Could you rule on a deadline when we should have an answer to this?

Madam President: Well, Senators, I think that these questions are obviously overdue for answers so maybe we can ask the relevant Minister, the Minister of Public Administration and Information, to have the answers by next week? [*Interruption*] I have both of them here as Public Administration—oh sorry, yes, the other one is Public Utilities and the Environment. One is question No. 2 and the other one is question No. 3 so they have been on the Order Paper for quite a while. Yes Minister, you wanted to say something about that?

The Minister of Public Utilities and the Environment (Sen. The Hon. Rennie Dumas: By the end of the sitting the answer to question No. 3 will be in the Senate—this sitting.

Madam President: Oh, okay, fine. So we should have one answer by the end of today's sitting. The other question, maybe we can have that answer by next week, please. Maybe, Senators, it is a good point to remind Senators that we should try to have these answers in and I think I would give a time limit of maybe 28 days to have these answers in unless, you know, an extension is agreed upon; not these answers, you know, but answers to questions in the future. Let me clarify my statement, to written questions. Answers to written questions in the future, any other questions coming in, I think we should expect the answer within 28 days.

WRITTEN ANSWER TO QUESTION

The following question was asked by Sen. Wade Mark:

**Solid Waste Management Company
(Details of)**

3. A. Could the hon. Minister of Public Utilities and the Environment provide the Senate with a detailed breakdown on the following issues as they relate to the Solid Waste Management Company or any of its affiliated companies for the period January 2002 to the present time and continuing:
- (i) the number of persons employed
 - (ii) the names of those persons
 - (iii) their qualifications
 - (iv) their addresses
 - (v) their work experience
 - (vi) their terms and conditions of employment, inclusive of salaries, and
 - (vii) the duration of their contracts?
- B. Could the hon. Minister state whether those jobs were advertised and could he produce or provide the relevant information and/or documentation to support transparency in the recruitment process?

Vide end of sitting for written answer

ORAL ANSWERS TO QUESTIONS**Public Officers
(Arrears of Increment)**

- 22. Sen. Wade Mark** asked the hon. Minister of Public Administration and Information:
- A. Could the Minister give details to this Senate about:
 - (i) The total amount of arrears of increment paid to public officers to date?
 - (ii) The total quantum of arrears of increment that is still owed to public officers to date?
 - B. Could he indicate:
 - (i) The number of public officers who have received their arrears of increment to date;
 - (ii) The positions of those officers in the public service;
 - (iii) The number of public officers still to be paid;
 - (iv) The total sum of money outstanding?
 - C. Could the Minister state when would those public officers who have not yet been paid their increment receive their arrears of increment? Could he further state whether the Government has established a deadline for payment of those outstanding arrears of increment?

The Minister of Public Administration and Information (Sen. The Hon. Dr. Lenny Saith): Madam President, you will recall that in 1987, as a measure to reduce expenditure, the Government suspended the payment of increments and merit increases to all public officers and employees of statutory authorities effective January 23, 1987. The matter was subsequently challenged in court and eventually settled in 1995 during an earlier PNM administration in favour of public servants.

Madam President, we on this side have consistently maintained the position that the suspension of arrears was done without consultation and was therefore unconstitutional. When, therefore, we returned to office at the end of 2001, we immediately sought to settle this contentious issue once and for all. The Government reached a final agreement with the Public Services Association on

July 10, 2002 and this agreement set the stage for settlement of this matter with all other categories of workers in the public sector. I am pleased to report that, some 15 years after this matter arose, we are dealing with it to the satisfaction of all.

The answer to part A(i) of the question, is: the total amount of arrears of increments paid to public officers to date is \$213.5 million out of a total of \$342.2 million so far released to the relevant authorities.

Part A(ii): given that the exercise to quantify the arrears of increment have not yet been fully completed by ministries and other agencies, we estimate the amount outstanding to be \$247.25 million.

Part B(i): as of February 28, 2003, 13,709 public officers have been paid the arrears of increment.

Part B(ii): any public officer who was in salary range 4 to salary range 59 and who was not at the maximum longevity point during the period January 1987 to December 1995 is owed arrears of increment.

Part B(iii): based on estimates at February 28, 2003 obtained from the ministries, departments and statutory authorities, approximately 15,000 public officers are still to be paid their arrears of increment. This figure does not include members of the teaching service since steps are currently being taken to quantify arrears owed to teachers in accordance with an agreement signed between the Chief Personnel Officer and the Trinidad and Tobago Unified Teachers Association on October 02, 2002.

Part B(iv): the outstanding sum is estimated to be \$247.25 million.

Part C: on September 10, 2002 the Chief Personnel Officer issued instructions to permanent secretaries, heads of department, the chief administrator Tobago House of Assembly and the heads of statutory authorities advising that agreement had been reached with the Public Services Association for the payment of arrears of increment on or before November 30, 2002. The Ministry of National Security was similarly advised of the agreements reached with the associations representing officers in the police, prison and fire services.

As a general rule, payment is made to officers when valid applications are submitted by those officers and the necessary administrative and accounting procedures are completed. No deadline date has been established for the submission of applications. There are a number of cases where former officers have left the country and have therefore not submitted applications. Additionally,

persons may have passed away and applications may not yet have been made on their behalf.

Thank you, Madam President.

Sen. Mark: Madam President, I wonder if the hon. Minister could indicate to us the number of public officers in ranges 4 to 60 who are yet to receive their increments as was requested in part B of my question—the number? Is it 10,000, 15,000? Could I be told?

Sen. The Hon. Dr. L. Saith: Madam President, I am advised that there are 15,000 officers still to receive their increments. I do not have the breakdown.

Sen. Mark: Madam President, I did ask for the breakdown and the positions and no information on that request has been provided by the hon. Minister.

Madam President: Senator, 15,000, I do not know, you want a breakdown of 15,000?

Sen. Mark: On a diskette. He could probably put it on a diskette.

Sen. The Hon. Dr. L. Saith: Then it is not an oral question.

Sen. Mark: No, no, no; he can indicate that he cannot supply the paper and he can put it on a diskette. It is either we do business properly here—the Minister “cyar” come here and behave that way.

I have a supplemental again, Madam President. I would ask the hon. Minister, through you, is he aware that on the eve of the 1995 general election in Trinidad and Tobago the PNM filed an appeal against the ruling of a High Court judge that favoured an appeal by the PSA through Bernadette Caesar Hood on the whole issue of increments? Is he aware of that?

Sen. The Hon. Dr. L. Saith: Madam President, I am not aware.

Sen. Mark: Madam President, if he is not aware I think he has misled this Senate.

Madam President: Sen. Mark, please move on to question 23.

Sen. Mark: I will deal with that at another time because he is misleading this Senate.

Police, Fire and Teaching Service Members (Arrears of Increment)

23. Sen. Wade Mark asked the hon. Minister of Public Administration and Information:

- A. Could the Minister state whether the first and second divisions of the police association; the fire service and members of the teaching service would also be receiving arrears of increment?
- B. If the answer is in the affirmative, could he also state:
- (i) What total amount of money each association of group of public officers would be entitled to?
 - (ii) When would these public officers receive their arrears of increment?

The Minister of Public Administration and Information (Sen. The Hon. Dr. Lenny Saith): Madam President, teachers, police officers and fire officers were also among those public officers who suffered from a loss of increment as a result of the decision of the country's administration in 1987. This administration is committed to concluding this matter to the satisfaction of all concerned. Members of the protective services are being paid their arrears of increment. Arrears of increment owed to members of the teaching service are being quantified at present and, when this is completed by the Ministry of Education, appropriate measures will be instituted to permit teachers to apply for their arrears.

Madam President, the estimated sums owed to these categories of workers are as follows:

Police Service	\$88.5 million
Prisons Service	\$12.8 million
Fire Service	\$25.65 million
Teaching Service	\$169 million

Thank you, Madam President.

Sen. Mark: Madam President, through you, could the hon. Minister indicate when he expects these increments to be paid to these respective associations, any particular estimated time frame in mind?

Sen. The Hon. Dr. L. Saith: Madam President, as I indicated in the case of the public servants, payments are being made as quantification exercises are completed and application forms signed by the officers. It is a continuous process.

Sen. Mark: Madam President, I asked specifically in terms of question 23, the protective services. I did not talk about public officers like civil servants. I am

talking about the protective services because, from what he has said, nothing has started so I asked whether, in terms of the protective services, he can give the Parliament an estimated time frame for the payment of arrears of increment owed to these categories of workers.

Sen. The Hon. Dr. L. Saith: Madam President, I indicated that payments have started except in the case of the teaching service where the work is being done.

Madam President: This is what I gathered too from the answer, Senator. Could we move on to question 24, please?

**Daily-Rated Workers
(Arrears of Increment)**

24. Sen. Wade Mark asked the hon. Minister of Public Administration and Information:

- A. Could the Minister state whether daily-rated workers have received their arrears of increment?
- B. If they have, could he indicate:
 - (i) The total sum of monies paid or to be paid to each worker?
 - (ii) The total number of daily-rated workers who are entitled to receive arrears of increment?

The Minister of Public Administration and Information (Sen. The Hon. Dr. Lenny Saith): Madam President, discussions have been held with the National Union of Government and Federated Workers which represents the daily-rated workers of the central government and the Tobago House of Assembly regarding issues related to the arrears of increment. These discussions will continue.

Given that the discussions have not been completed, Madam President, part B of the question is not applicable.

Thank you, Madam President.

Sen. Mark: Madam President, I ask the hon. Minister, is there a commitment on the part of his administration to pay to daily-rated workers arrears of increment?

Sen. The Hon. Dr. L. Saith: Madam President, I indicated that we are in discussions with the union, and, if there are discussions, there are discussions.

Sen. R. Montano: Madam President, may I enquire, then, because I did not quite understand the Minister—part A asks:

“Could the Minister state whether daily-rated workers have received their arrears of increment?”

The Minister has answered and he said, well, there are discussions going on. Is it a correct interpretation of mine, then, that the answer to the question, therefore, is, no, that no daily-rated workers have received their arrears of increment? Is that correct that no daily-rated workers have received their arrears?

Sen. The Hon. Dr. L. Saith: What is correct, Madam President, is, no payment has been made. The question of arrears of increment to daily-rated workers is the subject of discussions with the union.

Sen. R. Montano: No, no, but Madam President, with the greatest of respect, I still do not understand the question and there seems to be an obfuscation here to a very simple question. Simple question: Have the daily-rated workers received their arrears of increment? The answer is either yes they have or no they have not. What is the answer?

Sen. The Hon. Dr. L. Saith: The answer is no; at this time.

The following question stood on the Order Paper in the name of Sen. Prof. K. Ramchand:

Government’s Buildings Rental (Details of)

- 41.** Could the Minister of Public Administration and Information state:
- A.
 - (i) How many buildings or parts of buildings in Trinidad and Tobago are at present being rented by Government for official purposes?
 - (ii) What are the addresses of these premises, and for each, what is the square-footage of rented space?
 - B. Could the Minister also state:
 - (i) What is the rent being paid for each of the rented spaces?
 - (ii) Who is the owner of each of the rented spaces, and to whom is the rent being paid?
 - (iii) For each building or part of a building, when did the lease or rental agreement begin?

The Minister of Public Administration and Information (Sen. The Hon. Dr. Lenny Saith): With respect to question 41, Madam President, this is a question that requires a fair amount of information. I have had a chat with the hon. Sen. Prof. Ramchand indicating to him that we are still checking some of the information and that we will make it available next week and we will, given the volume of information, make it available in a written form to the Senator. I would ask, therefore, that the matter to be deferred for one week.

Question, by leave, deferred.

CONSTITUTION REFORM

[Fourth Day]

Order read for resuming adjourned debate on question [November 26, 2002]:

Be it resolved that the Government of Trinidad and Tobago articulate its position on the question of Constitution Reform indicating: (a) what areas of the Constitution it considers to be in urgent need of review; (b) whether it proposes piecemeal reform or a comprehensive review; (c) how it intends to involve the population in the process; and (d) what steps it will take to ensure that this crucial exercise is completed no later than eighteen months after the first sitting on October 17, 2002 of the first session of the Eighth Parliament of the Republic of Trinidad and Tobago. [*Sen. Prof. K. Ramchand*]

Question again proposed.

[*Sen. Sadiq Baksh rose*]

Sen. Wade Mark: Madam President, on a point of order, Standing Order 32(1), could you tell us how people are allowed to speak in this Parliament? I thought they were supposed to rise, and Sadiq rose.

Madam President: Well, you are supposed to put your light on, and, just before I read the Motion, Sen. Abdul-Hamid did put his light on and we asked him to wait until I was finished reading.

The Minister of Social Development (Sen. The Hon. Mustapha Abdul-Hamid): Thank you very much, Madam President. It was John Stuart Mill who said that democracy was next to impossible in multi-ethnic societies. I begin my contribution with this particular statement simply to underline the challenge that faces countries which have multi-ethnic populations, the challenge in designing a system of government and also the challenge in governing countries which have multi-ethnic populations. I also begin with this particular reference because I want

to underscore the need for us to exercise the utmost care and responsibility in how we approach this exercise of constitutional reform.

We ought not at all to approach this exercise with haste. This is an exercise which is absolutely necessary for our country and it is an exercise which ought to be undertaken and completed with great care and responsibility if we are, in fact, to design a democratic system which would provide the mechanism by which the country is governed, a proper democratic system, that is, and our Government has already given its commitment to engage in a process of constitutional reform but we must be mindful that this process would require considerable intellectual and philosophical input. Therefore that gives rise to the need for us to be meticulous and the need for comprehensive consultation.

We are conscious of that which is why we are proceeding carefully because we ought not, we think, to proceed in haste because, Madam President, haste ought not to characterize our approach to constitutional reform. We have taken this position simply because we have been there before as a party and as a Government and we understand very clearly that, whenever governments get their constitutional arrangements wrong, there can be dire consequences. So we do not support the position that our constitution reform exercise should be completed or should be undertaken with a degree of urgency which would compromise our capacity to achieve the best possible solution.

It ought not to be based on emotion and sometimes we get the impression, though, that there are some who would like for us to approach the exercise in haste and the reason that they require haste perhaps is because they thrive in haste because haste itself can produce chaos and there are some who enjoy chaos because chaos and disorder is the kind of environment in which they seem to be most comfortable. In addition to that, Madam President, I would say that we ought not to abuse this call for constitutional reform. What I mean by that is, we ought not to trivialize the call. We are well aware that actions ought to be judged by intentions and I would compliment the Members of the Independent Bench because we are sure that their interest is the people, the population, and ensuring that we have a system of government that will suit the needs of all in our population.

There are others who are also calling for constitutional reform but their call is not related or connected to a need to look after the interest of our entire population. Their call may be because it is fashionable, their call may be because they lost an election, and they provide all kinds of perhaps trivial reasons for that particular call to support their call and their intentions perhaps are not genuine. In fact, we are well aware that when they had the opportunity to engage in

constitutional reform, many of those on the Opposition Bench today certainly had the opportunity in 1986 when they could have and they refused to, which certainly gives me the impression that their call today is disingenuous as best.

So, Madam President, I would really start by pointing out and summing up that opening paragraph, as it were, with the need for us to be careful and meticulous, not hasty, but in order for us to understand this notion of constitutional reform and how we fit into democracy, we must understand democracy. It might be necessary for us to take a theoretical approach, perhaps, to our understanding of democracy. Very often quoted we have heard that democracy comes from two Greek words, “demos” meaning people and “kratos” meaning to rule. Essentially what it means is, the rule of the people, but that ought not to be taken to mean that the formulation and execution of national policy are to be undertaken by the whole electorate but rather it has always been understood or interpreted in practice to mean the government of some on behalf of the rest.

So we may be familiar with the fact that the historical origins of democracy lay in the writings of philosophical writers and thinkers such as Jean Jacques Rousseau and John Locke. Rousseau’s two main contributions to this evolution of political thought were the social contract and the discourse on the origin of inequality. In both documents he cited the need for man to establish civil society and to surrender all his rights to the community and, in so doing, Rousseau held that it was our only hope for security through the social contract each individual agreed with the whole body of individuals to submit to the will of the majority so that the majority would then constitute the Executive arm of the state. So in that it is contemplated that there may be persons who are not part of the majority and who would not be part of the government, of the executive. So that in the original concept of the state it was in fact contemplated that there are going to be provisions to be made for what has today evolved to be the Opposition.

Madam President, much evolution and political thought have taken place since then. I would submit in support of my first point that that process has been slow and painstakingly simple because all our political thinkers of the past have also understood the need to be careful and the need to be very judicious in the way they approach the formulation of prescriptions for government and for the governing of society. That brings the question, how do we calculate the majority? The reason I asked how do we calculate the majority is because it might seem very simple but in reality it may not be simply because there are many, many models of democracy. There are many formulae for the calculation for arriving at who will become the majority, who will constitute the Executive.

While we recognize that there are various formulae for arriving at who will constitute the Executive, we must also bear in mind that there are certain common characteristics of democracy that, by definition, in order for us to define a system as democratic, it must possess certain common characteristics, one of which is universal suffrage and perhaps universal adult suffrage is how it is better said. We always find in democratic systems political parties and we always find as well organization of free voting at frequent intervals.

There are two dominant forms of democratic government, the parliamentary and the presidential. Essentially, between the two systems, the two forms of democratic government, the parliamentary and the presidential, you would find that the difference between the two has to do with how the various organs of the state relate to each other. When I say the organs of the state I am speaking about the Executive, the Legislative and the Judiciary, and, even within each form, even within the presidential and the parliamentary form, there are various models within each form. Again, I say that there are various formulae within each form to arrive at the determination as to who is going to govern the country.

This question of the majority is important because you would take note in the US system, in the last election that they had, the now President George Bush received a total of 50,455,156 votes and the losing candidate, who was Mr. Al Gore, received 50,992,335 votes. Essentially he got approximately 50,000 votes more than Mr. Bush but, because of the system of democracy that they operate, the electoral system, you found Mr. Bush receiving 271 electoral votes and Mr. Gore 266.

I make this point simply because, as a mature society, as a mature democracy, they have recognized that you have to learn to play by the rules [*Desk thumping*] and playing by the rules means that, although you think you have the majority, that is not the system by which you have agreed to play. So it is completely irrelevant that Mr. Bush got less total popular votes than Mr. Gore. What was important is that, under the system by which they operated, Mr. Bush got more electoral votes—the system of delegates, that is, that they operate. So is that undemocratic, given what Rousseau had said?

I challenge anybody here to accuse the United States of an undemocratic system of government. Those are just the rules. That formula has evolved over many, many years and the people of the United States subscribe to that formula because they can see the merits of the formula, they can see the benefit of the formula, and there are many, many formulae all over the place which have merits and demerits. I point this out again and give caution and ask that we exercise

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caution as we approach any particular system, any new system or any revised system or any change to our present system.

Here in Trinidad and Tobago some people play by the rules but they play by the rules sometimes. They enjoy playing by the rules when they can win and whenever they have difficulty or the system seems challenging, they are quick to try to abandon the rules and focus on other things which are really to break the rules, you know, try to focus on other things which may seem to support their case and try to arouse emotion again in the population and abandon the scientific, structured and accepted regulations which govern a particular system.

I recall this question of popular vote and I recall in 1981 the UNC got—*[Interruption]*—oh no, the ULF, whatever incarnation existed at the time, whichever three letters they chose at that particular point in time, *[Interruption]* they got 76,000 votes approximately—I hope I am not giving them too much credit—but they won 10 seats, I think, and the ONR at that time got approximately 100,000 votes—*[Interruption]*—91,000, thank you very much—91,000, and got no seats. They were quite happy with their 10 seats and they came to the Parliament because the rules at that time were in their favour. They never said to the NAR, “Look, you have 91,000 votes, look six seats. *[Desk thumping]* You represent 91,000 people so you have to have a place in the Parliament.” Never heard that!

So the question of popular vote was not an issue then but it became an issue and will become an issue from time to time. You see, whatever system—that brings me to this point. People have been calling for constitutional reform but they are not really ready or willing to go through all the processes necessary, all the degrees of consultation necessary for us to arrive at what is a proper system. It seems to me that people have in their minds an idea and a system already fixed and they are trying to hasten us to move to that particular system simply because perhaps they feel that that system will lead to some benefit to them whenever elections are called.

The presidential system, Madam President, is not without its flaws and is not without criticism. It has had to entertain criticisms. I mention some of these criticisms simply because I would like us to adopt this particular approach of doing careful evaluations of each system that we consider. You see, with the presidential system, one of the criticisms levelled is the fact that they have in the United States—well perhaps the best way to say it is the expiration of terms in that a president is allowed to serve only two terms. What that means, then, is that you can have a situation developing where perhaps the best person in the country,

the person to whom the population really responds and whom the population would really like to see, you find that that person is ineligible to contest simply because he has served two terms before.

Now, you might say, well, “You have had your chance, you have served two terms”, but I ask the question, in a small country like Trinidad and Tobago where we have limited human resources, where we have limited experience in some of these areas, are we prepared to deprive ourselves of an individual whose experience can, in fact, make significant contributions to our development? Are we prepared to say, “Well look, you have served eight years, move on. Let us get somebody new”, in a small developing country with limited human resources? So we consider that criticism in the context of our local situation.

In addition, Madam President, we have found that, in the United States, former presidents are often put to pasture which further is a depletion of the human resources. I say so and I think that is something that has been brought clearly to the attention of former President Jimmy Carter because, in recent comments he has been making, he has found himself to be the brunt of much criticism for even daring to speak and to criticize a sitting president because it is reported that that is part of their culture and tradition that presidents who would have left office would just shut up and I am not so sure that we are in a position to allow our human resource to waste in that way.

In addition, Madam President, under normal circumstances in the American presidential system, you require very, very specific grounds for impeachment. There are installed in the constitution very specific grounds for impeachment and those grounds do not include incompetence. So it is quite possible that you can find yourself with a completely incompetent president but you have no means by which to rid the society of this particular president. You might say, “Well, it is the same thing in Westminster”. No, it is not the same.

There is something called a vote of no confidence in the Westminster system which allows you an avenue where the members of the legislature can decide, look, we are having so much difficulty with this particular prime minister that, if enough members of the legislature are able to support the particular motion, you can have a vote of no confidence in the prime minister. We saw something very close to that happening the last time but that is not the point. The point I really want to make is to examine the particular clause and for us to look carefully at the fact that incompetence can be institutionalized in a presidential system and that is a universal criticism made of the particular system.

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The United States too has had the experience of being the victims of insurmountable gridlock where you have a situation where the president experiences a hostile relationship with the Congress and, in situations like that, nothing gets done. In countries like the United States with such a massive economy, a lot of it will take care of itself, perhaps, but in countries like ours where the role of the government in the economy is so significant, can we afford such gridlock? So as we contemplate new systems, let us not be so hasty to criticize Westminster and not, at the same time, be careful enough to criticize other systems of government.

There is also the point about the automatic succession of the Vice-President. In the event that a president dies or a president is caused to be out office, a vice-president is elevated to become the president. Now, you might ask yourself, "Well what is the point?" The point is, many of those vice-presidents could never win an election on their own but they are running mates and running mates only and that again in our context sometimes some of these things that more developed countries can afford to do, we perhaps cannot afford simply because we cannot run the risk of having a completely incompetent person who would never have won an election in any case assuming the office of president were we to have such a system, assuming the highest, executive, most powerful office in the land, and that person we conclude to be an incompetent person would never have won an election but is there as a result of perhaps a freak of nature.

Madam President, I would draw your attention to perhaps sometimes we find it very easy to make reference to proportional representation as a possible solution and think that this system of proportional representation would come and be a saviour to all our constitutional needs. Madam President, I draw to your attention the fact that Guyana has had a system of proportional representation for decades and likewise Guyana has had the worst form of political violence in the Caribbean equally for decades. That is something that we ought to bear in mind because proportional representation has not worked to address the issues of ethnic relations in Guyana. I certainly am not sure that, were we to adopt such a system, it is necessarily going to improve the way that we live our lives because there are certain other cultural factors that come in that impact upon the way we govern ourselves.

Madam President, the system of proportional representation, I would like to go through a few of the criticisms again because the purpose of my contribution is to urge caution. It is the system that has been described as inherently unstable and it is inherently unstable simply because one of the reasons is that it gives rise to coalition governments and coalition governments are known worldwide to be unstable.

We do not have to look worldwide to find instability in coalitions. We have had the experience right here, where, in 1986 we had this big, lovely gathering, this massive coalition, before the fact, “One love”, and by 1987 they were beating each other over the head with instruments from all parts of the world and they were cursing each other in languages from all parts of the world—absolutely no love. Had they not had such a significant majority at the time, we may have found ourselves in a very, very difficult situation and even beyond that—1995 to 2001—they were not even a coalition and they could not keep it together.

How can we expect coalitions to survive? What you find tends to happen in a lot of the systems—many governments would have proportional representation, that particular system—is that parties hastily come together in the euphoria of the formation of a government, they are willing to concede all kinds of things as they hastily put together, arrange themselves, so that they would be acceptable to form a government and when real and demanding issues come before them they cannot survive the pressure because various groups at all times keep looking after their particular party interest, and partisanship is a part of human existence which must be managed and these coalitions which have come into existence the world over have proven not to be a proper mechanism by which to manage those.

Madam President, as well I would point out that coalition governments—and I say this in the context of proportional representation—find it very, very difficult to survive under circumstances where there are unpredictable issues or unpredictable influences, should I say, whether they be local or international, and I say unpredictable because there are certain things that can happen in the international arena which may impact upon a government or a party and those are the circumstances when you find that the partisan interests come to bear and come to the fore in a more powerful way.

What those do is really attack the seams at which those political parties are joined because you might find a situation where one particular party in a coalition may be more adversely affected than the others and you see that taking place sometimes in Israel where there is this coalition—not that they practice—I am speaking to coalition governments here—where one particular interest group is having so much difficulty with a particular issue that their very political survival would demand that they withdraw from the government and they are quite prepared to do that and put the country in crisis time after time. I again urge caution that we consider these things as we explore the horizon, as we undertake this exercise, this intellectual exploration of looking for ideas.

There is a third point about the intimacy with the electorate, the relationship between the politician and the electorate with regard to the system of proportional representation about which I would like to speak but I will do so a little later when I speak about the Westminster system. Madam President, I speak about consociational democracy, which is also perhaps made popular in Trinidad and Tobago, the concept, though they did not use the proper term, power sharing. I do not know why they do not use the proper term but it does not really matter.

This power sharing or consociational democracy concept is characterized by two basic features, the participation of representatives of all significant ethnic groups. So all members—the various ethnic groups—will participate in government with a higher degree of autonomy for these groups to run their internal affairs. So what you have is a number of ethnic groups coming together to form a government but each has a certain degree of autonomy in governing its own affairs and there is something else, the concept of proportionality and minority veto.

Madam President, when I think about this I ask myself if that is the kind of society we want for ourselves where you have little governments all over the place. That is what you have, little governments all over the place. So what we were thinking, if we were to try to transplant that in Trinidad and Tobago, transpose the idea in Trinidad, you would have a little Muslim government, a little Hindu government, a little African government and a little Syrian government, each with a certain degree of autonomy to govern their internal affairs. That is what this power sharing government can lead to. That is what consociational democracy is in the textbooks.

What it does is it institutionalizes our separation. It makes the separation firm and established in the land. It minimizes interaction among our various groups, something of which Trinidad and Tobago has been proud, the fact that we have been able to generate a high degree of relationships, good, promising and productive social and economic relationships among all the various groups. What that does is it causes us as human beings to grow. It causes us to achieve this greater existence of recognizing ourselves and recognizing each other as human beings, seeing past our ethnic clients. Madam President, consociational democracy frustrates patriotism because it makes individuals loyal only to their group.

2.30 p.m.

Your loyalty will not be to your country, but to your particular group because you have a system of internal self-government, as it were. It causes us not to

develop, therefore, a nation, but it causes us to develop a nation of nations. If I may borrow a term from the party of parties: to become a nation of nations, going nowhere together, but going everywhere by ourselves. That to me is a concession on the human being that I am not so sure we should be willing to make, because it tells us that we can only be narrow and partisan. I am not so sure that is how I would like to see myself as a human being.

We know that this is a system that some may like, because it may allow them to have their own little government. Their idea may be, "I cannot govern all of Trinidad, so I might as well split it in two and take half". I am not saying this jokingly, but very, very seriously. I do not recall the exact place, but I think the idea that Trinidad and Tobago be split in two may have been suggested in one of the constitutional commissions of the past. I am not 100 per cent sure, but I can recall that.

Madam President, I want to connect this thought to this talk about south and central Trinidad that we keep hearing all the time: south and central, south and central; trying to create in our mind a concept of a south and central Trinidad versus the rest of Trinidad. Trinidad and Tobago is one country; do not allow them to fool themselves or the people of Trinidad and Tobago. [*Desk thumping*]

They have some theoretical backing for power sharing, because they have been coming with this issue since the period of 18/18, where you take one minister, I take one minister and so on. To my mind, that was the forerunner to: you govern this section of Trinidad, I will govern this section of Trinidad; ridiculous. [*Desk thumping*] I ask myself whether they were not really thinking about this long before. Why in a small country like this, with an abundance of rainfall, do we need to put a desalination plant in a certain part of Trinidad? Why do we need to put a power plant in a certain part of Trinidad? I am just asking this question; I have not come to any conclusions.

I asked myself: Was somebody contemplating forming a country within Trinidad and Tobago and recognized that they needed a power supply and a water supply? [*Laughter*] I say that, not in joke; I am very serious. That idea may have been planted long before, and then the 18/18 gave rise to the occasion for us to ease it in. The technical logic escapes me. It may find favour with people who are more technically sound than myself, but as somebody who tries to understand the society in which I live and the behaviour of people around me, when I see things like these, I connect the dots in a particular way. I am not so sure; I am just thinking about it. [*Laughter*]

Madam President, this particular system of constitutional democracy has been proven to be extremely inefficient. One of the reasons it has been so inefficient is because of the fact that there exists this clause for a minority veto. This means that decisions cannot be made, because any time any one particular ethnic group may be offended by a particular policy of the government; nothing will move forward. That is likely to be very frustrating for any government, and you are going to have a situation where decision-making is made impossible.

More dangerous than that, is the fact that political mobilization is going to be undertaken along ethnic lines, because each political group is, by definition, an ethnic group. We do not hold that is a constructive position for us to take. We know that politics is about enjoying a certain degree of rivalry and competition, but wherever you have political mobilization taking place along ethnic lines, are you not then preparing the stage for the kind of political rivalry which can evolve into ethnic rivalry, which, perhaps, can evolve further into physical violence among ethnic groups?

Madam President, be careful with this constitutional democracy/power sharing arrangement that people have been contemplating. It is a penny wise and a pound stupid. You might be solving one thing and creating a host of other problems that you cannot deal with.

The two major examples of countries where constitutional democracy has been tried are Lebanon and Cyprus. In both cases there has been complete failure. May I also point out that in Northern Ireland where the British are attempting to use a similar system, they are experiencing similar difficulties and enjoying very little success. In addition, if representation and advancement are on the basis of proportionality, that is likely to be at the expense of merit, so you abandon therein the objectives of establishing a society based on meritocracy.

We on this side are very well aware of the challenges that face us in the Westminster System. It is not without its flaws or criticisms, which is why we have already committed ourselves to undertake the exercise of constitutional reform. May I take the opportunity then to point out a few things. One is that the system has kept us stable for quite a long time; it is a system that has served us well. People may argue that it is time for us to move on, I will hear them; but we must recognize that all the development of Trinidad and Tobago has taken place under this particular system and we have, in fact, done very well. [*Desk thumping*]

Madam President, this leads me to this particular point, which I would have liked to make earlier: the people of Trinidad and Tobago ought to be

congratulated, because in spite of the limitations of the Westminster system we have managed to evolve into a society that is fairly well integrated and successful. We have our problems, of course, but there are countries with similar circumstances and the kinds of problems they have we do not even dream about.

I also take the opportunity to congratulate those members of PNM governments past. I say this not idly, simply because they were the ones who recognized the limitations of the system. It required a certain degree of benevolence, openness and generosity on the part of the government in order to ensure that, in spite of the limitations of the system of governance, the governance itself was done in accordance with the highest standards contemplated by man. That is something for which we must ensure those governments past enjoy some degree of commendation. [*Desk thumping*]

Madam President, regarding the system of using seats, which Westminster advocates, there are tremendous benefits to that as opposed to the system where you use popular votes. In systems where the popular vote is important, you find a high concentration of effort on the part of politicians, governments, the executive or anybody who is aspiring for support. You find that the efforts are concentrated exclusively in those areas where there is a large population or in areas where the population is dense, because the thinking is: Why should I then go to Mayaro to look for six votes, when I can get 50,000 on Frederick Street?

The system of seats under Westminster makes even those remote rural areas, all of sudden, very important; and they are important. It forces all of us to travel to Mayaro, because in Mayaro there is a seat. There could be 15 people in Mayaro voting, but we have to go after those 15 people, because they have become very important to us. What Westminster does with this particular system of the employment of seats is that it allows for national development. It allows development to take place over a wide geographic spread.

That is not something we should scoff at, because in many countries where the population is concentrated in a particular area you find development taking place only in those areas, further compounding the problems, because more and more people abandon the rural areas, come to the city and create more and more problems in these areas. So a simple thing like empowering the people in Rio Claro, can cause us to have to develop those areas as well, because, if we do not respond to their particular needs, we would lose.

Madam President, can you imagine that? Look how important Mayaro/Rio Claro have been to this entire election process? The entire population was focused on that Mayaro seat.

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

Motion made, That the hon. Senator's speaking time be extended by 15 minutes. [*Sen. The Hon. Dr. L. Saith*]

Question put and agreed to.

Sen. The Hon. M. Abdul-Hamid: Thank you, Madam President, and colleagues.

I want to continue from that particular point, because it is very important. It allows for proper national development in the truest sense of the term. The Westminster system of government has been characterized by stability and efficiency. There are occasions where you can have instability creeping in and that is largely because it is built into the system. Excesses on the part of political leaders ought to be checked. It is not that the system is without checks; there are, in fact, checks institutionalized, but, by and large, the system is, indeed, characterized by a high degree of stability and efficient decision-making, because the Cabinet will deliberate on a matter, make a decision and the Cabinet would abide by the decision.

Since we understand ourselves to be part of a single government and not representing any interest other than the national interest, you do not have a situation where there is considerable infighting. Of course, there are some who will have infighting no matter where you put them or in which system you place them. [*Desk thumping*] It also allows for the legislative agenda of the government to be carried forward, because there is, in fact, a built-in majority. Again, we are not without checks and balances, because in critical circumstances we have the provision made for a special majority, which is a very important feature of the system. There are certain inalienable rights identified in the Constitution, which no government, by way of a simple majority, ought to be able to touch; we agree with that. They must have a wide cross section of support, which makes the provision full of wisdom.

We also have the role of the Independent Benches which are expected to be beyond the cut and thrust of the politics. In addition, we have the role of the service commissions which play an independent role and in many ways restrict the Government from interfering with particular aspects of the administration of the State. Those are all important to our survival.

One of the things that we need in order to participate effectively in the Westminster system of the Government is that you need to have a credible and

functioning political party. The political party is an important ingredient in the well-being of the Westminster system, and any group that would like to participate in Westminster must form and run an effective and efficient political party. I suspect that is where the Opposition may be floundering. [*Desk thumping*] [*Laughter*] You see, Madam President, you cannot come to play if you do not have the tools. You cannot come to play Westminster politics if you do not have the tools. If you do not have an effective, properly running, well-oiled party governed by a constitution that all the members respect, then you really cannot come to play, because you will find that the system is meaningless for you.

Much of the democratic exercises, much of the consultations, much of the political process, takes place within the political party. If you do not have an effective political party, then you are going to have difficulty participating. You are going to be frustrated, because you do not have an outlet, a mechanism by which to air your views. I do not know where you are going to go, but you are going to find yourself stifled and frustrated, simply because the democratic process within your party is frustrating you. You ought not to misunderstand that with the democratic process of the country, because there are many who are having tremendous difficulties within their parties and the signals are getting mixed.

Madam President, the basic point is that the political party is an important, critical agency in the democratic process under Westminster. All matters, be they on policy or social development, must be discussed within the party. Be it regional integration or constitutional reform, it must be discussed within the party. That is where you are going to have a lot of deliberation taking place and where people have the avenue to express what they need to express.

I want to go back to the point about intimacy and I want to connect it to the political party. When you have a proper functioning political party, as we do, and we are quite proud of it, you will find that a candidate for an election is very, very close to his community because of the structure of our party. You are going to find that a party group, which is a group of about 10 people within a constituency intimately connected to the population, to the people on the ground, are the ones making a nomination, taking it to a wider group, the constituency, and taking it to a wider group, the national executive. You will find, if you trace it back, this particular person will enjoy the support of all the persons on the ground in the particular community.

We do not have a situation where any political party can take a man from Canada and drop him in any part of Trinidad. [*Desk thumping*] That is what is

causing the frustration, because the party does not have a credible structure. People are being picked up from anywhere, switched around, rearranged and all kinds of permutations and combinations, and it is creating all kinds of frustrations, much of which we see here on Tuesdays, [*Laughter*] because the intimacy between the people and the politician is lost. When you have this handpicking from above taking place, you find that the politicians in government end up being those looking after—

Sen. Mark: You used to teach where?

Madam President: Sen. Mark, you address the Chair please and not the speaker.

Sen. Mark: Yes; but we want to know where he teaches.

Sen. The Hon. M. Abdul-Hamid: When I left the university I taught for a few years. I have had students far more miserable than the hon. Senator. [*Laughter*] I am quite comfortable when students try to heckle me. Madam President, you would recall that on the last occasion you had cause to ask him to sit up straight and to straighten his chair. May I ask you that the next time, ask him to put his finger on his lips, please. [*Laughter*] [*Crosstalk*]

Madam President, you find a situation will exist where people who are handpicked and dropped off in constituencies, perhaps being perceived as being only in the interest of the elites and not necessarily in the interest of those on the ground. I suggest that an efficient, functioning party mechanism is the way you can deal with that particular situation. [*Desk thumping*]

I would like to use my remaining time to say a few words on the role of the Opposition; not this particular Opposition, but the role of Oppositions, generally, in the Westminster system.

Sen. Mark: You will soon be here. [*Laughter*]

Sen. The Hon. M. Abdul-Hamid: In order for the system to work properly, an opposition must see itself as being a credible alternative. The primary responsibility of the Opposition is to be an alternative to the Government. Being an alternative to the Government means that they must always offer enlightened responses and proper counter-proposals to what the Government would have put forward.

A credible opposition is not about rabble-rousing or noise making; it is not about trying to hurl insults. It is about offering credible counter-proposals so that the population is going to be impressed. The Opposition is supposed to be an

alternative to the Government. If today or tomorrow the Government is unable to continue in office, the Opposition is who the people ought to look to. But if you disqualify yourself by committing yourself to five years of rabble-rousing, then we cannot be blamed for that. The system will never work for you; the system will only work for you when you learn to play by the rules. [*Desk thumping*] [*Crosstalk*] It is not about gallivanting like an ugly peacock, because there are ugly peacocks. Anybody could gallivant; I could gallivant.

I could cite one thing: this Motion is very important. Using the Parliament for constructive debate is something that we must do. I was very, very disappointed that the occasion to debate constitutional reform has, by and large, been wasted by those on the Opposition Benches. One of them, in fact, used the opportunity to call for resignations and all kinds of foolishness. You have an opportunity to debate something, tell the population what your ideas are. [*Interruption*] [*Crosstalk*]

It seems as though profundity and philosophy are challenges to those on the opposite side. [*Desk thumping*] They must be willing to use Parliament constructively. If they fail to do so they are going to find that the population will continue to reject them. I am not specifically referring to this particular Opposition. Any opposition that conducts itself in such a way, might find itself unattractive to the electorate, and those who seem more attractive are going to find favour.

It is also required of the Opposition that they behave in a statesmanlike manner; that is written in the books. Those people who follow the conventions of Westminster will tell you that they expect you to behave in a statesmanlike manner. They are expected, as well, to present their arguments in the best interest of all the people of the country. That is the basis upon which they are there; they have an important role to perform. We recognize that; we respond to all their questions; we applaud them when they ask good questions. They have greater roles to play, which they must understand.

I know that my time is running out. By and large, all I would ask is that people respect the law; operate within the confines of the law. Madam President, I went on this little exploration simply because I wanted to draw people's attention: do not rush, let us take our time. Let us understand what is out there; let us understand that there are no perfect solutions waiting to be uncovered. We have to go through this serious exercise carefully and meticulously to arrive at a system that would be in the best interest of all the people of Trinidad and Tobago.

If and when we do that, it would not be because they have demanded and made all this noise, it would be because we on this side understand, very carefully, what is our responsibility to the people of Trinidad and Tobago and we are committed to serving in the best possible way.

Sen. Sadiq Baksh: Madam President, I am at a loss to hear my colleague speak in those terms about democracy. Democracy cannot be a difficulty. Indeed, it must not be a difficulty in any society, especially in a society committed to fairness and equality. Democracy must not be a mockery in any society. More importantly, in a multi-ethnic society as ours, special care must be taken to ensure that all sections of our plural society must feel and see democracy at work. [*Desk thumping*] We must move from democracy by words to democracy by deeds. [*Desk thumping*]

When I heard my colleague speak here this afternoon, I did not plan to make my contribution in this manner. In fact, I came here prepared to give you some analysis of the present Constitution and where we go from here. Hearing my colleague, it is the same style of the PNM, creating smokescreens; talking about democracy and practising hypocrisy to its greatest. I am amazed to hear my colleague speaking on behalf of the PNM, talking about service to the constituencies. Since 1956 no constituency in Trinidad and Tobago was ever serviced by the PNM; none. [*Desk thumping*] [*Laughter*]

What they did was gerrymander the boundaries in Trinidad and Tobago, establish 17 seats in the East/West Corridor and forget everybody else; [*Desk thumping*] that is their hypocrisy. Those are the smokescreens that the PNM is accustomed to developing in Trinidad and Tobago. The State should never use the nation's resources to ensure the dominance of any political party and, by extension, the merciless prosecution of political opponents. [*Desk thumping*] That is the PNM!

After 1958 when the PNM lost the federal election they, in fact, embarked on the reengineering of the electoral system in Trinidad and Tobago to ensure that political opponents are dealt with expeditiously. They developed a system of ensuring that their political opponents were prosecuted and persecuted; that is the history of the PNM. I know that my colleague did not grow up in the PNM so he does not understand the party; I could forgive him for that. But could you imagine my colleague trying to show how Mayaro became important?

Madam President, after the gerrymandering of the seats and boundaries in Trinidad and Tobago, it is only in recent time that other constituencies became

relevant to the politics of Trinidad and Tobago under our present Constitution. It is only when those seats became part of making the decision as to who will govern Trinidad and Tobago, that the PNM began to put some system in place to offer representation, and that is only in words, not in deed. As far back as the first budget speech by the PNM in 1956, the then PNM government of Trinidad and Tobago promised a fishing complex in Moruga; 42 years later they are still waiting for that same fishing complex. They, in fact, promised it in the last budget. That is the history of the PNM. [*Desk thumping*]

When you talk about hypocrisy, Madam President, you cannot imagine the length they will go to ensure that they continue to gerrymander the boundaries in such a fashion to ensure that they remain in power. They will continue to do that; you can see the plans. The hon. Minister of Housing and Settlements—in fact, they moved away completely from \$1 down and 10,000 houses to be delivered annually; they forgot that. They believe that the population of Trinidad and Tobago forgot. That is not true; we did not forget; the population did not forget.

What is clear is that they cannot deliver; they never delivered and they will never deliver in Trinidad and Tobago; [*Desk thumping*] a complete waste of time. You could imagine that in their manifesto they said that for \$1 down you will get a house; they said that; delivered. I ask you, Madam President, 10,000 houses, delivered when, where? Not in Trinidad and Tobago; in their minds. [*Laughter*] That is how they operate: they think about it; they talk about it and they believe that they are finished. [*Laughter*] That is performance PNM style. [*Laughter*] And they have the gall to come here today and talk about service to constituencies! Every single bridge in Trinidad and Tobago remained in a dilapidated state under this administration. It is unbelievable to hear them talk about those things. Smokescreens, words and not deeds; that is the PNM.

I know that my colleague, in fact, said immediately that he lacked the technical knowledge as to understand why the desalination plant and electricity generation were strategically placed in central Trinidad. It is simple: you do not have any salt water in Arouca, so you cannot put a desalination plant in Arouca, Baratania or Tunapuna. That is the kind of thing that we expect to hear them talking about. In fact, it was strategically placed to ensure distribution. The desalination plant was placed in Point Lisas to supply the Point Lisas Industrial Estate to free up water supply for the citizens of Trinidad and Tobago; that is the reason. [*Desk thumping*] Put that in your pipe and smoke it!

Point Lisas is one of the areas that utilizes more electricity than any other part of Trinidad and Tobago. It is obvious that he does not understand the vision of the

UNC. In fact, we envisioned the expansion of the Point Lisas Industrial Estate and, as such, wanted to ensure that electricity generation would never be a stumbling block to the improvement of the quality of life of citizens of Trinidad and Tobago. [*Desk thumping*]

You would recall, Madam President, that the PNM spoke about bringing electricity from Venezuela to Trinidad. That was talk; no deeds, no action, only talk. That is the PNM at work; that is what they use the Constitution to do: to talk, but not to deliver. I cannot imagine that. We heard about that for years. We now hear about a gas line up the Caribbean. They have not told us about the feasibility; they have done a pre-feasibility study, but is gas! Is gas in their brains; [*Laughter*] that is what it is about! No study, no formality, but words and no deeds; that is the position. We cannot allow the future of Trinidad and Tobago to remain in the hands of people who are committed to words and not deeds. [*Desk thumping*]

The State should never use the nation's resources to ensure the dominance of any political party and, by extension, the merciless persecution of political opponents. They tried everything on me. They did anything they could have done. They thought about plans under the Constitution, to utilize the Constitution of Trinidad and Tobago to prosecute Sadiq Baksh. If they had one single shred of evidence against me, I would not be here; "ol' talk", jokers! [*Desk thumping*] Using the Commission of Enquiry, using their Saint Bernard to persecute citizens of Trinidad and Tobago. I believe in God, and you and no other person in Trinidad and Tobago could utilize Saint Bernard or any other person to persecute me. [*Desk thumping*] [*Laughter*] I repeat: if they had one shred of evidence, I would not have been here; they would have "loss" me in jail already. That is the history of the PNM. [*Desk thumping*]

This current PNM administration will do anything and everything to ensure that political opponents never get entrenched. Madam President, you know I am committed to a free press. I am committed to the ventilation of anything and everything, including anything to deal with the Piarco Airport Development Project.

In the first budget speech of 1956 by the then PNM, mention was made about the improvement of Piarco Airport; a pipe dream since then. They did not have the ability, capability or competence. Look at page 11 of the budget speech delivered to this House on Friday, November 30, 1956.

Sen. Dumas: Madam President, on a point of order. I am suggesting that there is a place for personal explanations. We are dealing with Standing Order 35(1), irrelevance. There is a place for personal explanation. [*Crosstalk*]

Sen. S. Baksh: Madam President, you hear them from time to time trying to muzzle the people on this side. I will not allow that; I will not tolerate that. They want you to sit quietly and listen to all the accusations they make, like they made over the six years that they were in Opposition, and then try to muzzle the people who talk against them. [*Desk thumping*] [*Crosstalk*] That is the history of the PNM, they do not like to hear the truth! The truth continues to offend them; they feel hurt. "It does hut them when they hear dat." [*Laughter*] [*Crosstalk*]

Constitutional reform must safeguard citizens generally. Constitutional reform must be part of the agenda of the new Trinidad and Tobago. We support this Motion by Sen. Prof. Ramchand and the amendment by my colleague, Sen. R. Montano. It is really a sad day in Trinidad and Tobago. I welcome the opportunity to participate in this historic debate, collectively. That is the vein in which I intended to proceed on this matter; to utilize the vast human resources that we are well known for in Trinidad and Tobago.

We are blessed in this country with both renewable and non-renewable resources. You would agree with me that our human resource is our most important resource. I thought that I would come here and ask that this Senate get together, utilize the human resources we have and, collectively, go out unto the citizenry in each community. Not decide what we want for the people, but seek from the people what they would like to see for themselves; their aspirations for a better society, for a better Trinidad and Tobago and for a political directorate that will not be partisan.

It is very important when we occupy ministerial office, that we understand the role and responsibility of the government ministers. I understand that as a member of a political party, you must be partisan on certain issues, but not when it comes to national issues; those are party matters. As a minister of government, you are my minister and a minister for all the people of Trinidad and Tobago; not for your party members alone. You cannot say that you are a government for all the people and then all the CEPEP contracts go to constituency chairmen. [*Desk thumping*] You cannot not advertise the positions or advertise them under the guise of not saying what they are, not knowing what they are all about, not having clear terms of reference for contractual arrangements using state funds, and then say you are a government for all the people.

When you do a forensic investigation into CEPEP you see that they are all constituency chairmen, key activists or party organizers responsible for the street activities for the party in power, and tell me that under the Constitution you are a government for all the people. That cannot be; it is not so. You are trying to pull

the wool over the eyes of the people of Trinidad and Tobago. We will not allow that! [*Desk thumping*] We will come here and expose them. We will show all the things that need to be exposed.

When we occupied the office from 1995—2001, we, in fact, encouraged the participation of all the people of Trinidad and Tobago into the process of governance. We went out into every community. We now have critics saying that when we attempted to encourage all the people of Trinidad and Tobago, politically, we were not seeking to cover our own. We recognized our responsibility as a party, to party members, but we also equally recognized the importance of ourselves as a government of all the people of Trinidad and Tobago. [*Desk thumping*] That is something that we would love to see taken into consideration in any new arrangement in any new Constitution of Trinidad and Tobago.

Madam President, again, it is not something that I would want to have remain entrenched in any government responsible for ensuring that we utilize our vast natural resources for the benefit of all our citizens. We need to ensure that we look at our present constitutional arrangement. We must go back and realize how constitutional reform came on the agenda.

Our term in office was interrupted as a result of a general election in 2001. You will recall that both parties ended up with 18 seats each, and, subsequently, the appointment of a Prime Minister became a constitutional issue. Rightly or incorrectly, the responsibility to appoint the Prime Minister was entrusted to the then President, Arthur Robinson. I do not want to open up a discourse with regard to the President's decision; we are all familiar with it and its shortcomings. However, since we are about to embark on a course that includes the proposed new constitutional arrangement, we must recognize that the entire choice of a Prime Minister was, in fact, placed in the hands of one person. I am sure that nobody wanted that, but, constitutionally, that was the course embarked on. We need to look at those issues for the future. I am not complaining about what happened in the past; that is water under the bridge. We need to make sure that we put that in place.

As that happened, the then administration wanted to further entrench themselves, they utilized all the resources of the State to prepare for one event: election the next year. This was done without any accountability to the Parliament. We did not have a Parliament, and, constitutionally, we knew that the Parliament just could not function. You had the situation where a Speaker could not be elected. We need to make sure that in any future arrangement, as far as the Constitution is concerned, that we take all those things into consideration.

We on this side support the Motion by Sen. Prof. Ramchand and the amendment by my colleague, Sen. R. Montano. We look forward to all of us coming together, going out into the community and looking at every opportunity to get the widest consensus possible and to have consultations with all our citizens, so as to be able to chart a course that will ensure that Trinidad and Tobago takes its rightful place in the world of nations as a strong and worthwhile country.

Thank you.

Sen. Dr. Eastlyn McKenzie: Madam President, let me thank you for allowing me to join the debate at this time.

When I look at the Motion and the amendment as proposed by Sen. R. Montano, I summarized the contents as follows: Sen. Prof. Ramchand's Motion, in the main, deals with the recognition of previous reports on constitutional reform by the Wooding Commission and the Hyatali Commission. It refers to the present Constitution and states that, as it is, the Constitution does not respond to changes, social and so on.

It speaks about the implications of the electoral tie in 2001. It talks about commitment to reform of the Constitution through discussion and participation. It talks about Government's position; the areas of reform, whether it should be piecemeal or comprehensive, public involvement and urgent attention.

Sen. R. Montano's amendment advises of a selection of a joint select committee to formulate a new constitution; receive comments from the public and to submit these to Parliament. He gives a time frame.

So, Madam President, I go to the Motion as proposed by Sen. Prof. Ramchand, and I look at the preamble to the actual resolution. It talks about the Hyatali report; that recommendations were made and that the report was never debated or presented officially for discussion and consideration, nor debated in the Parliament. I think that in his haste, anxiety or eagerness, he omitted in his resolution to take care of this very shortfall at the very beginning. I hope he sees where I am coming from, because he is actually criticizing the fact the Hyatali and Wooding Commission reports were never brought to the Parliament, but in his resolution, unlike Sen. R. Montano's who has said that they should be brought to the Parliament, he has omitted that. I think this is one of the things we need to look at if we are going to be different.

Secondly, he talks about the Republican Constitution not responding to cultural and social changes. I would say that he has not actually outlined the social and

cultural changes he probably has in mind. I do not know, for example, what areas he would like to discuss, because we have so many social and cultural changes that have come about, which I do not think would find a rightful place in a constitution. I thought that he could have been more explicit to state the kinds of social and cultural changes to which he would like the Constitution to respond.

In my own mind, at this time and after the fact, I would actually say some global changes. One of the things I would say now about responding to change, which, probably, I would not have said a month ago, would be the fact that I do not know how I would feel to have a leader who commits my nation to war without a referendum. I am not of the opinion that the majority of people who elected the President of the United States and the leaders would have agreed to war. What would we say about giving that kind of power to leaders, when we would have elected them? There you have a kind of change that we have to think about.

I go to his third "Whereas" and he says that in the last 10 years there has been an increase in the electorate's dissatisfaction with the political establishment, the confusion, uncertainty and so on. Actually, he quoted from the Wooding Commission report. If I should bring back to mind the contributions from both Members of the PNM and UNC in this Senate, everybody is defending his or her own political party. Probably both sides feel that their political establishment is correct in whatever it does. I am wondering whether the Constitution should respond to this. So we have to be very careful as to what we include in a constitution. We have to look at the present Constitution to see whether there are matters that should be put in the Constitution that presently we do not have there.

Then I go to his next "Whereas" where he talks about the historical tie and the implications of that historical tie. I do not agree that there is a unanimous conclusion about a crying need for constitutional reform. I have been following the papers and there are some very enlightened and intellectual people who have said that there is nothing wrong with the present Constitution. There are some people who have said that there are just minor aspects of the Constitution that we need to reform. There are people who have said that we just need to amend a few clauses, and there are others who have said that we just need a review of the Constitution.

Madam President, I do not think that it is my business that we should dictate the pace, the clauses or the atmosphere as to what should happen to the present Constitution, if we are going to go about with an open mind to constitutional reform. It may be that if we go into this reform of the Constitution, the public may

have a totally different view from what we, as parliamentarians or members of political parties, would have in mind.

Let me just share with you a little personal experience as a member of the Independent Senators who went out, as you would know, on this exercise. We set some objectives. We had some criteria and an aide memoir. Our first place was Tobago and we outlined and advertised and the people came out in their numbers. We had the areas that we were going to deal with, the implications of the tie and so on. Ninety per cent of what the people spoke about, we did not have that at all in what we were going to deal with. People who would have read the report or seen the report would understand that the people were dealing with matters that, to them, were more important than whether we should have a Speaker, an elected President or whether we should have a casting vote. So we could never tell how the people would feel, how they would react, what they would consider important and what, for them, should be what the Constitution should cover.

Let us go with an open mind. This is where I agree with Sen. Baksh, after he did his preamble dealing with the previous speaker. After that, I want to agree with him that we look at the whole question of constitutional reform as an open book; we never know what we will find in the pages.

I move, again, to the next "Whereas" as coming from the Motion. This one talks about the PNM in its manifesto. I regret the mention of the PNM and its manifesto. I say this, not because it is not the truth; it is the truth, but in a discussion of this nature, in the seriousness of this matter, I would like to see anything party/political out of it, otherwise we steer people to respond to the manifesto. Once you go into the manifesto you can talk about anything under the sun that is in the manifesto. This is one part we have in this Motion that I regret very much.

I go down to the resolution. You know as usual, Madam President, I am very short, I am speaking directly on the Motion. The resolution says:

"Be It Resolved that the Government of Trinidad and Tobago articulate its position on the question of constitutional reform..."

And he has given specific areas. I would add more areas. I would hope that we would have more areas added in. The Senator would like to know whether it proposes piecemeal reform or comprehensive review. Again, I think it is a sort of contradiction.

If we are going to reform the whole Constitution piecemeal, it means we are saying that probably we do piece today and piece tomorrow and we go ahead, as

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probably the Government has tried to do, from what I have read in the newspapers on the Kidnapping Bill.

If it comes to constitutional rights, then you interfere with the Constitution and you do not get the majority support and that type of thing, and again probably other bills that we have seen coming out of the parliamentary agenda have actually begun to do constitutional reform. So I am wondering what the Government's response would be and I would like the Government to say.

3.30 p.m.

Madam President, there are some matters that have actually engaged my attention which I know the present Opposition does not subscribe to, and that is piecemeal reform, but I would have liked to see a little change in that even for the simple fact that when we had the 18/18 tie and we had no Speaker there were elected Members—and I have heard the Senators refer to it.

There were elected Members who could not have been paid because of the Standing Orders. They had to take the oath, which they could not take because there was no Speaker to administer it, therefore, they could not have been paid. The only way they could be paid is if we have an amendment to the Constitution and that is from my own research. If the Members of the UNC are saying that they are not going to subscribe to a piecemeal reform, then they are going to defeat a willingness by others to have piecemeal reform to the Constitution to facilitate the payment to those people who personally I feel deserve their pay.

So again, I do not know whether we are going with a comprehensive review because I know from our experience as Independent Senators on that very limited exercise we did, if we do a comprehensive report, as probably was done by the Hyatali and the Wooding Commissions before, it will take a very long time if it has to be done very well. I can tell you it is not a simple task, it is very complex; the analysis of what you find, the analysis of what people write, the putting together of the document, and the drafting of the document. As I go further, I would say that there are things that I do not believe will come in the Motion but will come in the actual methodology of how we proceed.

The next step talks about how it intends to involve the population in the process. Sen. Montano has given some ideas of receiving comments and we have had some other ideas of going out to the villages. I want to suggest that we also go to the sixth forms of secondary schools and the tertiary institutions because we do not view them as a target audience. We normally say we have it in this area and we hope that those who live in the area and attend these institutions will come. I

am hoping that the involvement of the population in the process will not only be going out to the villages and areas, but there will be special groups that we will target like the sixth forms, tertiary education institutions, the youth groups, some of the church groups et cetera and make them a part of the process as a special target audience.

The next one is the steps it will take to ensure that the exercise is completed no later than 18 months after October 17th. I could tell Sen. Prof. Ramchand and I am sure if he had written this now, he would not have put this in. It is an impossible dream for a good, comprehensive review and I am talking very honestly and very fairly. I think so and worst, Sen. R. Montano's amendment in six months, impossible! Even the public meetings, reviewing the reports from the Wooding Commission, the Hyatali Commission, the Constitution Reform Forum and all these other organizations that have been doing work all along the line, this process has been going on I want to say that it is impossible. I hope Sen. Prof. Ramchand would think that I am being fair and honest to his deadline date.

Madam President, I agree that we need to look at the Constitution, we need to amend it; be it to review it, be it to reform it, be it to have a totally new one. I do not know because I think that the people will decide, and if we do it well we will give time to people to discuss the contents of the Constitution and also to make suggestions for new inclusions that we do not have presently.

There was never anything about a tie and what to do if there was one. I will tell you something, Madam President, when we were discussing the Tobago House of Assembly Act in 1996, there was a suggestion that we have so many councillors and if we have the majority, that party would have the authority to nominate so many councillors and the minority party so many councillors. I asked, what if there were a tie, and they nearly carried me to St. Ann's. They thought I was so crazy. What if a tie? They could not believe, and I lived to see the day that we had a 17/17 tie and an 18/18 tie.

Sometimes the Constitution does not cater, and people now would look at it and say: I think that in the future we need to have a clause that will take care of this, that, and the other. So let us not predict what the Constitution would be like because we would be putting into the mouths of people what we think they should say and so I say we should leave it open.

Madam President, when we look at the Constitution as it is, as I said before we would say that there are certain things to correct that people feel are not working well now, and there are certain things to insert because of the same things Sen. Prof. Ramchand talked about; the changes, the circumstances, be they

social, cultural, political or economic. I do not know because I could tell you that some people have looked at the economic changes and if my memory serves me right, they have actually recommended for the Constitution, procurement committees about spending because of the kind of economic changes we are experiencing, and I am saying that we probably need to respond to changes other than social and cultural.

I remember as we went around, there were people who were very concerned about political parties and registering them and about campaign funding. Those things became an issue and were not included in the Constitution. So as we go about this whole exercise let us do it dispassionately, so that if the Motion is taken and public meetings are held there is no rivalry of this political party and that political party. We will not serve any useful purpose with this attitude, and let us see the range of suggestions that we will get from the people.

To summarize, Madam President, I agree that we need to look at the Constitution. I cannot say what the majority of people would think, whether they would say: amend, review, reform, change or bring a new one. I cannot say what areas of the Constitution they would think need immediate attention. I cannot say what they would think, what they would like to see removed from the Constitution, or what they would like inserted. I cannot say whether they would go for the Constitution to be reviewed bit by bit, or that we sit down as a country and do the whole thing in a holistic manner. I cannot say. What I would say is that because of the cry throughout the country for different types of stabs at the Constitution, different types of stabs some people are saying; this, that and the other, but there is a cry even from the people who say leave it alone.

We need to go along with the Motion in its intent; I have taken my “jab” at the little pieces to look at the total idea behind it. I have examined the Constitution to come up with a document that gives guidelines, rules and parameters within which this country will be governed in the future to give it our best shot.

I agree with Sen. Abdul-Hamid that it is not an exercise that could be rushed and I am saying this from my experience. I am certain if my colleagues were to speak, they would tell you that it is a time-consuming exercise; it is a complex exercise; it calls for a lot of manpower; it calls for sober thinking and judgment; it calls for a lot of commitment and dedication to the exercise; you would need to have staff attached and assigned specifically to it; you would have to have resources because you need to travel; you need to have people who could set up the meetings because I can tell you, we will be forever grateful to the parliamentary staff who assisted.

So one needs to work out a lot of groundwork and structures to be put in place, and you need to do a very comprehensive advertising campaign to let people know you are coming and what you are going to do: what is permissible, and how you are going about it. And whereas I do not think that the exercise could be finished in a short time, I would like to add that I would have hoped long ago that the exercise would have been completed before the next Tobago House of Assembly (THA) election and I know it cannot happen, unless we are going to do it piecemeal and reform the Tobago House of Assembly Act by itself.

When it comes to Central Government and general election which is in another four years plus, I am hoping that the Constitution, whether in its present form, or whatever form it is in, would take us into the next general election which would be conducted under a Constitution that the majority of people—because you never get unanimous support for everything—would support and would be comfortable with it.

Madam President, I say to Sen. Prof. Ramchand that I did not criticize him because I do not like him, I did not criticize what he wrote because I am not in agreement that we should not look at the Constitution. I am looking at what he has written and taking my comments specifically with what he—

Sen. Prof. Ramchand: Madam President, I would like to assure Sen. Dr. McKenzie that I really stand by the resolution, and that the whereas were there to stimulate thought and discussion of the kind that she has presented here. It was open-ended and during my presentation, if she remembers, I said we want to talk. Let us talk and we will find out and that is the spirit in which it was put.

Sen. Dr. E. McKenzie: Thank you very much, Sen. Prof. Ramchand. Madam President, why I say this is that sometimes when we criticize and we sit at the same table for tea people would come behind you and say: “You and he talking?” Because you criticize him, but we have seen all this and I feel happy.

So Madam President, I say thank you and I hope that—going to Sen. R. Montano’s amendment—that we would probably have, not only a Joint Select Committee which involves parliamentarians only, because I can tell you from our exercise that we had such valuable contributions written and orally from people who were not parliamentarians. So I would like to see an augmented committee if there is going to be one. I do not have the final say, but I am saying that it should be wider than parliamentarians. I am hoping that there will be gender balance, I am hoping that there will be age balance, and that we will have some young people.

I am hoping that if you are going to go in the form of politics—and I cannot dictate that because you all are party politicians—that you will balance it also and have the Opposition, the Government and Tobago in it. So we need to think of this very seriously. I hope also that you would involve people who have been doing this exercise and I know it is not only us, as Independent Senators and people from the Wooding and Hyatali Commissions, but also from the Constitution Reform Forum because they have been doing a tremendous amount of work and I have been reading some of their stuff and there have been some individual activists who sort of come like a little spice in whatever you do. So whatever we do, we should think of these people when we are going to do this.

I hope that whatever the result, that the draft will be brought to Parliament for discussion. It does not have to be a debate; it could be a discussion so people would know what has been put in the draft.

Madam President, I thank Sen. Prof. Ramchand for giving us the opportunity to debate this very important subject, and I say thanks to you for giving me the opportunity to speak.

Parliamentary Secretary in the Ministry of Community Development and Gender Affairs (Sen. Satish Ramroop): Thank you very much, Madam President. I have looked forward to this day to make a contribution towards this very important Motion.

After listening to Sen. Sadiq Baksh, he mentioned that we should not really take a party position and we should talk from what is in our hearts. I really want to talk about what is in my heart. I always look for an opportunity to say—and I thank you for the opportunity to respond to certain things that he quoted and mentioned.

Firstly, I would like to say, Madam President, that he is very insincere in his comments and his statement.

Sen. R. Montano: On a point of order, Madam President, the Standing Orders say quite clearly that nobody is allowed to make any derogatory comments of another Senator. To say that another Senator is insincere has to be a breach of the Standing Orders. If it is not, then tell us, because then we will use it but as I understand it, you cannot say that.

Madam President: Hon. Senator, just temper your contribution, please.

Sen. S. Ramroop: Thank you very much, Madam President, but I am new and sometimes we make little errors. But I want to say that he appeared to be insincere to me. I have known the gentleman for a long time—

Sen. R. Montano: Madam President, there has to be one law for all of us. There cannot be one law for one side and one law for the other side. It is either that is a breach of the Standing Orders, or it is not. If it a breach of the Standing Orders, then I request that you put him in his place—[*Interruption*] If it is not a breach of the Standing Orders yes—[*Interruption*] You keep quiet, you prevented a woman from being President.

Madam President: Sen. Montano, please. Are you pointing out a particular Standing Order?

Sen. R. Montano: Yes, Madam President, I am referring to the Standing Order which says—and I am using my words—that you must not make any derogatory comments or speak—Have you got it? It is 35(4) and it says:

- “(4) It shall be out of order to use offensive or insulting language about Members of either Chamber.
- (5) No Senator shall impute improper motives to any Member of either Chamber.”

Madam President: Thank you. You wanted to say something Sen. Yuille-Williams?

Sen. Yuille-Williams: I am sorry to interrupt you, Madam President, but I sat here and I do not know to whom he referred, but I saw the hon. Senator pointing in my direction and saying: “You prevented a woman from being President.” I wonder if he was referring to me, and I want to draw that to your attention because he just talked about imputing improper motives and then he was saying that. I think you need to be—

Madam President: All right. Sen. Montano, please be very careful about what you—[*Interruption*] [*Inaudible*] You are a Member of the Senate.

Sen. Ramroop, I will ask you to be very careful in how you speak. It is the first time I think that you are speaking in the Senate.

Sen. S. Ramroop: Second.

Madam President: Second. All right, but just be guided, okay.

Sen. S. Ramroop: Madam President, I am guided by your ruling. If I were allowed to complete what I was going to say in that it was contrary to the statement that he mentioned. They are saying on record that they will not support the legislation to reform the police service and I am referring to that incident and as a result, he is misleading not only this Senate, but also—[*Interruption*]

Madam President: Please, I would like you all to please give this Senator a chance. Let us hear what point he is making. I have not got the point yet. [*Desk thumping*]

Sen. S. Ramroop: Madam President, I thank you for your protection.

Sen. R. Montano: Madam President, I must rise, because my friend is now saying something about police bill and I listened very carefully to Sen. S. Baksh's contribution and he said nothing about a police bill.

Madam President: Senator, are you referring to the contribution he made today?

Sen. S. Ramroop: Madam President, he rightly talked about God and the way he operates, and I am just quoting the insincerity with him because he quoted parts saying what type of people, the people on this side, the PNM are and I am just quoting to show what has happened with regard to him and his people. I was showing the connection that what he is saying is not a real situation.

Madam President: All right. I think we have got the point. Please continue.

Sen. R. Montano: No, Madam President, on a point of order.

Madam President: Sen. Montano, what is your point of order?

Sen. R. Montano: My point of order, Madam President, is that Sen. Ramroop has just breached the Standing Orders again when he refers to insincerity. Now, Madam President, I request of you a ruling on this because if he is allowed to say that so and so is insincere, or this one is insincere, and what he said is insincere and if your ruling is that this is in order, then fine, I will accept it, but I will then request that when I do it—because I will do it—I am not ruled out of order.

Madam President: Sen. Montano, I have already ruled that Sen. Ramroop was not to use that language. Did you not remember me saying so?

Sen. R. Montano: He just did and that is improper.

Madam President: Sen. Ramroop, please do not ever use that word again. Just continue with your contribution and do not make reference to what you said before.

Sen. S. Ramroop: Thank you once more, Madam President. I rise to make a short intervention on this debate on constitution reform and I do so on the clear understanding that we on this side have always said that we are committed to reformation of the Constitution, insofar as it assists us for the people to live and operate in a consistent manner with the norms and traditions of a civilized society.

After all, the laws of this land are drafted by eminent citizens for the rights and protection of all including those among us, and we have reason to seek protection. I make the point cognizant of the fact that on many occasions, we on this side have publicly committed ourselves to constitutional reform.

Madam President, our manifesto pledges our Government's commitment to constitutional reform, and in fact, it has been quoted in the Motion. So when some members of the public, including some on the opposite side make spurious allegations that we on this side are not committed to constitutional reform, I must remind them that we are not a Government that make promises that we cannot keep. Indeed, we make promises and keep them, unlike others who offer honey and milk over three decades.

We just heard from the hon. Senator about the constituency not being serviced. You tell me what has been done in central, their own base where the majority of their support and their constituents reside, from Tabaquite to Couva North, Couva South, Caroni East, Caroni Central. Tell me about the promises they had made over decades to these people and at present, what is the situation. It is they who have Caroni (1975) Limited in the situation it is at this present time.

Madam President, they talked about promises and they also talked about Community Environmental Protection and Enhancement Programme (CEPEP) and I remember on this same debate when Sen. Seepersad-Bachan mentioned about the PNM Senator's brother, Sen. Pundit Maniedeo, getting some big set of money with CEPEP. There is an article in the *Newsday* dated Friday, March 14 from which I quote:

“UNC PNM Senator's brother got \$320,000 from CEPEP”

There is another article from which I would like to quote, it is the *Newsday* of Friday, March 21, 2003. It says:

“Assistance without fear or favour, Senator

Senator Seepersad-Bachan, from the safety of the Parliament chamber, launched a most vicious, unprovoked and unjustified attack on me. I strongly believe that, if one must engage in battle, one should seek a worthy opponent and hence I would not be drawn into a verbal war with her. So the purpose of this letter is to set forth the facts.

Firstly, I am the Chairman of the Board of Directors of Divya Enviro Ltd. The other directors are members of the Swaha Divya Ashram, a Hindu Centre, which is located in Preysal, Couva.”

I think that my colleague on the other side belongs to that constituency.

“This Hindu Centre, of which I have the honour of being the Spiritual Leader and whose facilities include a pre-school, a library, a computer lab, classrooms, a multi-purpose hall and religious facilities was established some seven years ago when I met with residents of Preysal and surrounding areas.

I indicated to them, then, that Swaha Inc wanted to work with the community to establish a Hindu Centre to serve the needs of the community, which included religious and social services, sport and education programmes and the development of the community including training and job creation, especially for the under privileged and women folk.”

Madam President, I continue.

“We do all the above and the creation of Divya Enviro Ltd. was in pursuance of my social contract with the community.

Swaha Divya Ashram submitted an application to the SWMCOL, in response to their advertisement.”

Some of us do not read, Madam President, and some of us read only what we want to understand.

“We were interviewed and chosen. I am not a member of any political party and have never been a member of the political party which presently forms the Government. Senator M. Persad is in no way connected with the Company.

Furthermore, the forty-odd persons employed, who are from communities including Preysal, Balmain, Basta Hall, Indian Trail, Milton and Couva, can attest to the fact that absolutely no attempt was made to influence their political affiliations.

The fact that we receive applications on a daily basis is indicative of the high level of unemployment in these areas.”

And areas controlled by my colleagues on the other side.

“It is also worthwhile to note that over fifty percent of those employed are women who need the wages to pay their medical bills, send their children to school and to provide basic amenities for their families. Clearly the goodly Senator has not experienced or is in touch with the harsh realities of the lives of those who are not as privileged as herself. I extend an invitation to her to visit and be educated.

If helping deserving people, who live in a stronghold of the Senator's party—”[*Interruption*]

Madam President, I am being distracted. I want the hon. Senators on the other side to listen if possible. [*Interruption*] The letter continues:

“If helping deserving people, who live in a stronghold of the Senator's party, is unprincipled or unethical then full power to her.

If however helping people irrespective of their political affiliation and making no demands on them is principled and ethical then I expect her to do the principled and ethical needful.

As a Hindu, of faith and conviction, I am duty bound to contribute to my community—”

Sen. Seepersad-Bachan: Madam President, on a point of order. I really fail to understand because the Senator—Madam President, can I clarify? The Senator is referring to something that I said, probably from the last debate and he is reading extensively, I do not know from what letter, but Madam President, all I mentioned was—and I do not know if it has been denied— whether or not the brother of the Senator got a CEPEP contract. That was all.

Sen. R. Montano: And in any event, are you relevant? [*Crosstalk*]

Madam President: I do not think you should continue to revive any debate that already took place in the Senate, and I really think you should come back to the subject of the Bill. [*Interruption*]

Is this a point of order? He said what he was reading from. He said at the beginning that he was reading from the *Newsday*. Did you give the date, Senator?

Sen. S. Ramroop: Yes, Madam President. If the hon. Senators were listening they would have heard that I quoted the newspaper and the date.

Madam President, as the debate continues, much has been said about constitutional reform and I am sure voluminous amounts would be forthcoming in this debate, and indeed, the weeks and months to come whilst groups of people have been meeting to suggest ways in which we could successfully achieve reform and the changes that are necessary.

We must not, and should not make changes to our Constitution as often as we do other Acts of Parliament. It would be unwise for us, as Senators, to make changes to the Constitution every Monday morning or Tuesday afternoon for that matter. There are some who believe that instead of changing the Constitution, we

should educate the masses about what is in the present Constitution. This is a point to be considered.

Madam President, it does not matter what changes are made, it does not matter how we reform the Constitution, there always will be sections of the society unhappy with the various provisions of the Constitution and whatever amendments are made.

In fact, the noted Trinidad and Tobago economist, Lloyd Best, is a strong advocate for the retention of the present Constitution and he is also in favour of education, so that we in Trinidad and Tobago would have a better understanding and a greater appreciation for the peaceful co-existence of everyone regardless of ethnic background, religious persuasion, educational achievements, financial status and political affiliation.

Madam President, if the people are fully apprised of the values enshrined in the Constitution and respect the rights of individuals, then it may be that the demand for constitutional reform may not be quite so acute. We all know that the issue of constitutional reform reignited itself following the result of the 2001 general election with the 18/18 deadlock and the decision of His Excellency The President at the time, Arthur N. R. Robinson, in his judgment to appoint the hon. Patrick Manning who is now the Prime Minister of this country. This is when the whole talk of constitutional reform ignited.

Madam President, we should remember at that time, the onslaught of the most unkind descriptions which were hurled at the President. We tend to forget, when, in his deliberate judgment as is provided in the Constitution of Trinidad and Tobago—[*Interruption*]

Madam President: Hon. Senator, please.

Sen. S. Ramroop: Madam President, when at that time, His Excellency appointed Mr. Manning as the Prime Minister, it was in his deliberate judgment and it was enshrined in the Constitution of Trinidad and Tobago and we had so many problems. [*Crosstalk*] I follow the scenarios closely that unfolded; men behaved like undomesticated animals grabbing at the throat of one man, the same man who gave them political supremacy, Madam President. We tend to forget albeit for a short time. They virtually massacred him in the most vicious way before the national, regional and international community. They tend to forget, Madam President.

Ever since that time, every vision of the rising sun has been a call for constitutional reform, and so ridiculous the issue has become that they are

associating everything with the need for constitutional reform: kidnappings in the country, constitutional reform; the current Caroni (1975) issue, they want the Constitution changed; they lost the election, they want constitutional reform; too many people living in their strongholds, they want constitutional reform. Will they ever stop?

Madam President, as I said, our Government is in favour of constitutional reform but we believe that a matter as important as this must be done in a methodical fashion and not in an ad hoc way as it appears to be coming from my colleagues on the other side.

In my humble opinion, we need to do the following: First of all, we need to consult the population and get consensus from them. This will require going to every village, every town, every borough throughout the length and breadth of Trinidad and Tobago and collect views from the widest possible cross-section of people from which we would derive a consensus. This also means the Opposition, the Independent Senators, non-government organizations, the religious bodies and groups, organizations, "toute monde", everyone will be part of the process. All voices and opinions would have been considered in the final draft which will then go to a select group of legal minds for drafting. It would then come to the Parliament for debate and I hope it is not a debate like this, but a constructive debate and subsequently given Presidential assent, and this will take some time.

Madam President, it was just said that the agenda of the FTAA takes 18 months and we are talking about the Constitution here which impacts on all the citizens of this country. How could it be done in such a short time? How could it be done whiplash? It would affect everyone and we see that it should be done in a methodical fashion, but we cannot take the position that if some lawbreaker in the country kidnaps someone then that is a need for reform. Incidents of this kind are frightening and such reprehensible behaviour must be condemned, and my heart goes out to the victims of such unwarranted acts of violence against the human spirit, especially the little ones who seem to be the latest victims of the kidnappers.

Madam President, as heinous as that may be, it should not be the major reason for urgent constitutional reform. We could take the approach of others in the society who believe that consultation is a major compelling factor in the equation that happened with the Independent Senators in this honourable Senate, and a group of private individuals who sought opinions from far and wide. We must congratulate these persons for their efforts because we believe that their intentions are honourable and worthy of more than just a passing thought.

Constitution Reform
[SEN. S. RAMROOP]

Tuesday, March 25, 2003

The Constitutional Reform Forum (CRF) held several meetings throughout the country and solicited important views and if you will permit me, Madam President, I would like to quote from a flyer which the CRF printed and circulated last year in which they identified at least five areas of concern. I quote:

“Let your voices be heard!

Let your presence be felt!”

And if we were following constitutional reform, we would have remembered when the colleagues went around and did this survey.

“This is your forum for Constitution Reform!

Are you aware that we, the taxpayers of Trinidad and Tobago pay ALL PARLIAMENTARY REPRESENTATIVES?

It is our RIGHT therefore to set out the terms and conditions of our contract with each of them, and it is their RESPONSIBILITY to honour these terms and conditions.”

And they ask why, Madam President.

- “1. Free Local Government Elections from the influence of National Political Parties
2. Strengthen Local Government...
3. Expand the Senate by involving various interest groups...
4. Regulate Campaign financing of National Political Parties
5. Make the Elections and Boundaries Commission responsible to the citizens of Trinidad and Tobago”

And they asked to make copies of this and circulate. Persons involved in the CRF were: David Abdullah, Dennis Pantin, Angela Cropper and some other colleagues, but we thank them for their contribution.

While I thank them for their efforts, there are some concerns about some of their recommendations such as; the freeing of local government election from the influence of national political parties. That in itself could spark an entire debate because I am of the firm view that unless we develop as a mature and politically advanced society, local government election would have to remain under the ambit of the national political parties. If, as I intimated earlier, we could educate the population on these issues and generate widespread participation at all levels, then the sometimes contentious and unnecessary grouse would never arise.

We are not by any stretch of the imagination a society built upon longstanding tradition and institutional framework. What we have is an inheritance from our colonial masters and it would require much time for us to evolve as a nation ready to allow segments of the society to have greater control over the affairs of the entire communities.

Madam President, the CRF also recommended that the Elections and Boundaries Commission (EBC) be held accountable to the citizens of Trinidad and Tobago. As it stands now, it falls under the absolute jurisdiction of the President and I wonder if that is not the correct safeguard. The President is an independent thinker—

Sen. Smith: Madam President, on a point of order, the hon. Senator is referring to a flyer; he is reading what it says and answering it. He is referring to a flyer that forms no part of this debate.

Madam President: It is not irrelevant. I do not see a problem there. He was quoting from a flyer which stated some of the research that came out of a committee. I think it is quite relevant to the debate. Continue Senator. *[Interruption]* Does it have a date on it?

Sen. S. Ramroop: Madam President, it was a flyer that was distributed for participation by all citizens of the country on constitution reform.

Madam President: All right. Continue.

Sen. S. Ramroop: The point is that constitutional reform is not just for the UNC or Sen. Wade Mark, or for any one person, it is for everybody and this is the problem I have with the reform. If they were listening, I said earlier, if we are really serious about constitutional reform, it should not be because somebody got kidnapped, it should not be because somebody brought a motion on it, it should be because it affects the lives of people in the country. And we could understand why those gentlemen are sitting on the other side and we on this side, because we care.

Madam President, the CRF is also recommending that the EBC be held accountable to the citizens of Trinidad and Tobago. Now as it stands, the EBC falls under the absolute jurisdiction of the President, and I wonder if that is not the correct safeguard. The President is an independent thinker and I was always of the view that the President acts in the best interest of the citizens of Trinidad and Tobago. He is non-partisan.

So in other words, is the CRF suggesting that the EBC answers the million and five questions by any group of citizens who will ask for it on any given day? How

Constitution Reform
[SEN. S. RAMROOP]

Tuesday, March 25, 2003

will the EBC arrive at consensus? And must it agree with the constituents in a PNM stronghold and disagree with those in the UNC or other areas of popular support? How will it function?

The CRF is also suggesting campaign-financing reform. This country's recent political history is replete with examples of people who injected small sums of money—which to me was large—and received in return more than would be the amount that thousands of people will not receive in their entire life. I wish to say to hon. Senators that no government working in the interest of the people should be in a stranglehold position where they operate at the mercy of party financiers. We have been through that. [*Desk thumping*] Who have the interest of no one but themselves at heart. [*Crosstalk*]

Madam President, our country is too small for us to operate on the premise that if you contribute to our campaign, you will reap the lion's share. It is too small. And we have seen how selfish and utterly immoral it is for persons to operate on that basis when there are others who go hungry and without shelter.

As we mature as a people, changes would be necessary, and in fact, changes would take place. We have grown exponentially as a people since the first contribution in first independent Trinidad and Tobago, and let me also say that our political culture has also undergone transformation since the 1976 Republican Constitution.

Lawmakers of the mid-70s could not anticipate the rate at which changes would take place down the road. We have grown and developed because of our oil dollars and petrochemical fortunes, as we have seen in our political culture which has also witnessed radical transformation during the passage of time.

Madam President, there is no doubt that we have come a long way even by our modes of expression where today, voices are heard across the spectrum on almost every imaginable subject and the opening up of the airwaves has created in our people, experts in every field of national and international life. We could not have expressed views on the American war in Iraq, but today the freedom that pervades our society gives us the latitude to say exactly how we feel about the coalition forces in the new gulf war.

Even in our own domestic situation, we on this side have the liberty to express our views openly, unlike some of my colleagues on the other side who have to face Hitlerian consequences when they speak of dictatorial tendencies within the party. It is unfortunate, but we cannot afford in this age of superior technological advances to operate in the past when your personal data could be retrieved from a

cyber chip placed in your forearm. Thank God the PNM is here! We would have been like that, Madam President.

The world is moving at a rapid rate and so too must we, but resolute as they are to operate in the future, first-world societies do so with a method that is consistent with a plan designed to benefit their population present and unborn. I am almost certain that during the course of this debate we would hear resounding views that whilst constitutional reform must be on the cards, we cannot rush into such an important exercise for the mere sake of easing someone's political tabanca.

I say this because I do not seem to recall the urgent need for constitutional reform during the period 1995—2000. Where was the need? Where were the voices? Where was the concern? We never heard anything during that time. A.N.R. Robinson gave his support to the UNC in 1995, everything at that time was hunky-dory, there was no need for constitutional reform, but as soon as things did not go their way, suddenly all sorts of things went wrong with the Constitution. The same Constitution under which they took office, the same Constitution under which they were so comfortable for the five years, became a despicable document suddenly.

When they did not return to office after 18/18, the man who was appointed President under their tenure became their worst enemy, if we recollect. Suddenly his values were being questioned and he went down in their books as an enemy, a neemakaram, an ungrateful son.

Madam President, we must approach constitutional reform in a responsible manner, as a responsible nation and as a responsible Government willing to listen to the views of everyone and initiating mechanisms that would be beneficial to the entire population of Trinidad and Tobago. It must not be about one political party dominating power. It must seek to ensure that there is no discrimination among the ethnic groups in the society, that there is equity in the system. Constitutional reform must preserve the rights of every citizen regardless of colour, creed or race. We are not a banana republic and as such, we must not give others the impression that we entertain such tendencies. Indeed, let us look at constitutional reform, but let there be a method by which we go about it.

I thank you.

[*Sen. Smith rises*]

Madam President: I think this would be a good time to take the tea break. It does not make sense for you to speak for five minutes and then break. Senators, we would suspend now for the tea break and return at 4.55 p.m.

4.25 p.m.: *Sitting suspended.*

4.55 p.m.: *Sitting resumed.*

Madam President: Is there anybody else wishing to speak today?

Sen. Smith, do you wish to speak? You are late.

Sen. Smith: I prefer to reserve my contribution for the next sitting.

Madam President: Senators, if you attempt to be here on time after the tea break we would not have this problem of having to sit and wait for Senators to come who wish to make their contributions. We could have just adjourned this evening's session and those who wished to speak would not have had the opportunity. Who is next, please?

Sen. Parvatee Anmolsingh-Mahabir: Madam President, I wish to join my colleagues in pledging support for the initiatives being pursued and articulated in Parliament, in the media and among interest groups within the national community that are geared to effect reform of the provisions of our Republican Constitution.

We are aware that our Constitution is the supreme law of the land and we cannot and should not change it as often as we amend and change other lesser Acts of Parliament. I agree with the Senator that we must be cautious. However, there is ample empirical evidence and compelling societal considerations to merit a thorough review of the existing Constitution to take on board the experiences we have had as a democratic and evolving nation.

The political, social conditions and values that underpinned our political era when the 1976 Constitution was drafted have changed. Therefore, it would appear reasonable to all that as our society and its underlining socio-political culture changes and matures along the path to nationhood, laws, including our Constitution, enacted to regulate and preside over our development, must also change. The lawmakers, in 1976, could not reasonably anticipate the change that has characterized our growth, development and sophistication as a people during the last 30 years. Indeed, we are now a more literate, articulate and politically conscious people who are prepared to question the relevance of certain aspects of our Constitution.

There are numerous indications of the inadequacy of the 1976 Constitution and some have already been highlighted by the previous speakers. I also feel compelled to draw your attention to an area of the Constitution in which there is a glaring error which could be a source of embarrassment to our country in the international forum. This, of course, must be seen in the context of the increasing

extensions of the coastal state jurisdictions that are so fundamentally important for an offshore oil-and gas-producing island State of Trinidad and Tobago.

Let us examine the preliminary section of the 1976 Constitution. Section 1(2) at page 12 states, and I quote:

“Trinidad and Tobago shall comprise the Island of Trinidad, the Island of Tobago and any territories that immediately before the 31st day of August 1962 were dependencies of Trinidad and Tobago, including the seabed and subsoil situated beneath the territorial sea and the continental shelf of Trinidad and Tobago (‘territorial sea’ and ‘continental shelf’ here having the same meaning as in the Territorial Sea Act and the Continental Shelf Act, respectively), together with such other areas as may be declared by Act to form part of the territory of Trinidad and Tobago.”

This section of the 1976 Constitution sets out the geographical demarcation or boundaries of Trinidad and Tobago but it is flawed. The territory of Trinidad and Tobago is being incorrectly defined as inclusive of the seabed and the subsoil of the continental shelf outside of the territorial sea. This claim is contrary to international law. The Geneva Convention on the continental shelf in 1958 and the United Nations Convention on the Law of the Sea in 1982—and Trinidad and Tobago is a party to both conventions—confer on the State only sovereign rights over the continental shelf as distinct from sovereignty.

In other words, the correct jurisdiction that we exercise under the regime of the continental shelf is the exclusive right to explore and exploit the resources therein, but not ownership of the seabed and subsoil as the Constitution incorrectly claims.

Hon. Senators may understandably be concerned about the implications of this observation, especially since we are shelf-locked with Guyana, Barbados and Venezuela. I want to assure hon. Senators that we will continue to enjoy exclusive rights to our oil and natural gas reserves in the marine area. What I am taking issue with is the error that is inherent in this section of the Constitution. We need to review this definition of our territorial boundaries, especially in the light of a new corpus of laws that have been agreed to by the international community, principles of which must be reflected in our Constitution, especially in setting the limits of our maritime jurisdictions as well as our air space above the land territory.

Another area which needs to be reviewed is the fact that the practice of the Westminster Cabinet Government alienates and subordinates the people's

Parliament. Cabinet can circumvent the exclusive law-creating capacity of Parliament by negotiating bilateral and international agreements and simply introducing enabling legislation in Parliament whenever necessary. Cabinet has the competence to make Trinidad and Tobago a party to all agreements without prior parliamentary consent. For example, the 1991 Trinidad and Tobago/Venezuela Delimitation Treaty, an agreement that gave security of tenure to offshore hydrocarbon installations, was concluded and became effective without parliamentary approval. Segments of the territory of Trinidad and Tobago which were claimed and annexed under the 1942 Gulf of Paria Treaty with Venezuela were ceded in the process without parliamentary approval.

I do not believe that this most important bilateral agreement ever reached Parliament. I respectfully suggest that prior parliamentary approval be accorded to all agreements before Trinidad and Tobago can become a contracting party and bind the State. This would be an expression of our democracy, transparency and the acknowledged supremacy of Parliament in the law-making process. We must move away from the concept of maximum leadership and institutionalize maximum popular participation.

In conclusion, I wish to posit the thesis and propose that the preamble to our Constitution should be revisited with a view to incorporating the concept of multiculturalism. Trinidad and Tobago must now join enlightened and progressive States such as Canada, Sweden and Australia in declaring multiculturalism as the official policy response to manage and harness our rich ethnic diversity. This declaration should constitute one of the fundamental cornerstones of our Constitution in clear recognition of the need to permit every creed and race to find an equal place in this rainbow country.

This Constitution needs to be revisited and reviewed to reflect a new prevailing socio-economic and political reality. I share the view of my colleague, Sen. Ambassador Thomas, that perhaps what is more urgently required, more than constitutional change, is a reform of the attitudes of some of our politicians. We need to put the nation first and self after; national interest first, individual and party interests second. I urge the establishment of a duly appointed Constitution Commission to conduct the necessary and widest possible consultation and to take on board the recommendations of the population.

I thank you. [*Desk thumping*]

Adjournment

Tuesday, March 25, 2003

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, April 01, 2003, at 1.30 p.m.

At that time we would debate the following Bills in this order: the Freedom of Information (Amdt.) Bill; the Income Tax (Amdt.) Bill. The Attorney General would be absent and therefore we would not be able to debate the Commissions of Enquiry (Amdt.) Bill.

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 5.10 p.m.

WRITTEN ANSWER TO QUESTION

The following question was asked by Sen. Wade Mark earlier in the proceedings:

**Solid Waste Management Company
(Details of)**

- 3. A.** Could the hon. Minister of Public Utilities and the Environment provide the Senate with a detailed breakdown on the following issues as they relate to the Solid Waste Management Company or any of its affiliated companies for the period January 2002 to the present time and continuing:
- (i) the number of persons employed
 - (ii) the names of those persons
 - (iii) their qualifications
 - (iv) their addresses
 - (v) their work experience
 - (vi) their terms and conditions of employment, inclusive of salaries, and
 - (vii) the duration of their contracts?
- B.** Could the hon. Minister state whether those jobs were advertised and could he produce or provide the relevant information and/or documentation to support transparency in the recruitment process?

The following reply was circulated to Members of the Senate:

- A.** Over the period January 2002 to December 2002, thirty-one (31) persons were employed by the Solid Waste Management Company. Details relating to the names, qualifications, working experience, salary, duration of contracts and terms and conditions of employment have been lodged with the Clerk of the Senate for examination.

B. Persons were selected from the existing database of applications on file as well as through advertisements. Twenty-seven applicants were selected from the internal database and four through external advertisements. Copies of the advertisements have been lodged with the Clerk of the House for examination. In terms of the selection of employees from the internal database, applications on file were categorized by job position and demand. Profiles of applicants were examined and candidates short-listed and interviewed. The selection of employees was based on interviews according to established procedures. The process was as follows:

- (i) Initial interview by a Panel of interviewers
- (ii) Filtering of candidates where top three candidates were recalled for a second deciding interview
- (iii) Validation of candidates through reference checks and examination of documents

NOS EMPLD	NAME	DATE EMPLD	CLASS	STATUS	DURATION OF CONTRACT	QUALIFICATIONS	WORKING EXPERIENCE	SALARY	RECRUITMENT PROCESS
1	Telesford, Mavis	24/6/2002	Clerical Assistant	Temp	3 mths in the first instance	5 CXC O'Levels, Computer Literacy	Two (2) years	\$1,800.00	Application on file
2	Santoo, Selwyn	1/3/2002	Attendant	Temp	3 mths in the first instance	Attended Primary School		\$1,910.00	Application on file
3	McCarthy, Michael	12/6/2002	Storekeeper	Perm		4 CXC O'levels, 2 A'Levels	Eight (8) years	\$2,200.00	Application on file
4	Clarke, Carlston	15/6/02	Project Research Officer	Contract	1 year	B.A. Social Studies and History, Diploma International Relations, Executive Masters in Business Administration	Thirty (30) years	\$10,500.00	Application on file

Written Answer to Question

Tuesday, March 25, 2003

NOS EMPLD	NAME	DATE EMPLD	CLASS	STATUS	DURATION OF CONTRACT	QUALIFICATIONS	WORKING EXPERIENCE	SALARY	RECRUIT- MENT PROCESS
5	Russell, Neil	21/6/02	Project Officer- Financial Services	Contract	1 year	B.Sc Economics, Advanced Certificate in Financial Mgmt., Advanced Certificate in Marketing Mgmt, Post Graduate Certificate of Participation in Contemporary Issues in International Finance, Post Graduate Certificate of Participation in Investment Portfolio Analysis	Sixteen (16) years	\$9,000.00	Application on file
6	Warner, Johnson	22/6/02	Attendant	Temp	3 mths in the first instance			\$1,910.00	Application on file
7	Alexander, Nadine	24/6/02	Managerial Assistant.	Contract	1 year	Pitmans Shorthand Typewriting, Certified Professional Secretaries, CXC O'levels	Thirteen (13) years	\$4,000.00	Application on file
8	Gittens, Dwain	24/6/02	Casual Serviceman	Temp	3 mths in the first instance	5 CXC O'Levels, NEC- Welding	Two (2) years	\$1,910.00	Application on file
9	Katawaroo, Mahadeo	26/6/02	Driver	Temp	3 mths in the first instance	Driver's Licence		\$2,310.00	Application on file
10	Gonzales, Jhole	1/7/2002	Clerical Assistant	Temp	3 mths in the first instance	Intermediate and Advanced Typewriting, Intermediate English for office, Elementary Account and Spanish. 60w.p.h Shorthand, Computer Literacy.	Twelve (12) years	\$2,000.00	Application on file

NOS EMPLD	NAME	DATE EMPLD	CLASS	STATUS	DURATION OF CONTRACT	QUALIFICATIONS	WORKING EXPERIENCE	SALARY	RECRUITMENT PROCESS
11	Jaggermath Michelle	8/7/2002	Clerical Assistant	Contract	1 year	5 CXC O Levels, Computer Literacy	Eight (8) years	\$1,800.00	Application on file
12	Atiba, Kwesi	9/7/2002	Project Officer- Technical Field Services	Contract	1 year	B.Sc. Economics, Television and general electronics Radio College, Canada.	Thirty-six (36) years	\$8,000.00	Advised Position
13	Hendricks, Jillian	22/7/02	Accounting Officer- Financial Information Officer	Temp	3 mths in the first instance	Operating Systems- Windows95-2000, Financial Software, Microsoft Works, Microsoft Office 2000, Lotus Suite and Corel Draw. Database Report Writers Microsoft Access and others that interface with the above financial systems packages.	Fifteen (15) years	\$5,775.00	Application on file
14	Carter, Christopher	29/7/02	Driver/ Messenger	Temp	3 mths in the first instance	3 CXC O Levels Computer Literacy	Six (6) years	\$2,200.00	Application on file
15	Bailey, Trevor	2/8/2002	Human Resource Officer	Contract	1 year	B.Sc. Sociology and Human Resources Management (UWI). Certificate in Public Administration (UWI), Presently pursuing a Bachelor of Law Degree	Twenty eight (28) years	\$7,500.00	Application on file

NOS EMPLD	NAME	DATE EMPLD	CLASS	STATUS	DURATION OF CONTRACT	QUALIFICATIONS	WORKING EXPERIENCE	SALARY	RECRUITMENT PROCESS
16	Les Pierre, Kwahabena	21/8/02	Clerical Assistant	Temp	3 mths in the first instance	7 CXC Computer Training Deltasoftware Microsoft, Typewriting	Three (3) years	\$1,800.00	Application on file
17	Cain, John	22/8/02	Driver	Temp	3 mths in the first instance			\$2,310.00	Application on file
18	Gobin, Melaine	23/8/02	Administrative Assistant	Contract	1 year	6 CXC O'Levels, Taxation School Continuous Studies	Five (5) Years	\$2,200.00	Application on file
19	Farfan, Darren	26/8/02	Project Officer- Technical Field Services	Contract	1 year	B.Sc. Business Administration of University of Florida, 2 A'Levels, 10 CXC O'Levels	Ten (10) years	\$8,000.00	Advertised Position
20	St. Rose, Adanna	2/9/2002	Clerical Assistant	Contract	1 year	6 CXC O'Levels, 3 Advanced Levels	Two (2) years	\$1,800.00	Application on file
21	Jack, Rees	16/9/02	Tobago Operations Manager	Perm		Environmental Mgt, UWI, Barbados. B.Sc. Environmental Health Protection, Bowling Green State University. Gov't of T&T Public Health Training, Diploma in Public Health	Twenty- two (22) years	\$7,500.00	Application on file
22	Ramdeensingh, Candice	23/9/02	Clerical Assistant	Contract	1 year	4 CXC O'levels, Computer Literacy	Four (4) years	\$1,890.00	Application on file

Written Answer to Question

Tuesday, March 25, 2003

NOS EMPLD	NAME	DATE EMPLD	CLASS	STATUS	DURATION OF CONTRACT	QUALIFICATIONS	WORKING EXPERIENCE	SALARY	RECRUITMENT PROCESS
23	Chase, Rayette	1/10/2002	Clerical Assistant	Temp	3 mths in the first instance	5 CXC, Computer Literacy	Three (3) years	\$1,800.00	Application on file
24	Jones, Tricia	1/10/2002	Field Officer	Contract	1 year	Major Chemistry, UWI, 7 CXC O'Levels, 3 A'Levels	Seven (7) years	\$3,000.00	Advertised Position
25	Pitt, Jill	1/10/2002	Field Officer	Contract	1 year	B.Sc. Chemistry UWI, A levels	Four (4) years	\$3,000.00	Advertised Position
26	John, Leslie-Anne	7/10/2002	Financial Assistant	Contract	1 year	7 CXC O'Levels, ACCA level 1,2,3	Eleven (11) years	\$4,000.00	Application on file
27	Frederick, Gillian	21/10/02	Clerical Assistant	Contract	1 year	6 CXC O'Levels, 4 A'Levels	Nil	\$2,000.00	Application on file
28	Beckles, Frankie	1/11/2002	Personal Assistant to Executive Chairman.	Perm		School Leaving	Twenty-five (25) years	\$4,000.00	Application on file
29	Smith, Jason	25/11/02	Administrative Assistant	Temp	3 mths in the first instance	GCE 'O' & 'A' Level passes	One (1) year	\$2,200.00	Application on file
30	Charles, Marcia	21/11/02	Maid/Cleaner	Temp	3 mths in the first instance	School Leaving	Thirty two (32) years	\$1,600.00	Application on file
31	George, Yolanda	13/12/02	Clerical Assistant	Temp	3 mths in the first instance	3 CXC O'Levels Computer Literacy	One (1) year	\$2,000.00	Application on file

Appendix 3

SWMCOL

The Trinidad & Tobago

Solid Waste Management

Company Limited

“Your Partner in Defence of the Environment”

V A C A N C Y

ON CONTRACT

The Leading Environment and Waste Management Company in Trinidad and Tobago is seeking to recruit qualified and experienced persons in the following position:

FIELD OFFICER

MAIN RESPONSIBILITIES:

- Monitors the operational activities of the CEPEP Programme and ensure compliance with programme’s intent and vision.
- Develops the scope of works for the contractors under the programme and ensures their proper execution.
- Identifies environmental issues occurring in the various regional work areas.
- Compiles statistics and reports on the projects within CEPEP.
- Conducts research and special studies to assess the effectiveness of the CEPEP programme.

MINIMUM REQUIREMENTS:

Tertiary level education with knowledge on environmental issues.

Possesses good oral and written communication skills.

Computer literate.

Owens or has access to a vehicle.

A member of an NGO will be an asset.

COMPENSATION:

An attractive remuneration package is being offered.

Applications must be submitted by 18th November 2002 to

Manager Corporate Services

SWMCOL Head Office

34 Independence Square

Port-of-Spain

E-mail: info@swmcol.co.tt

Unsuitable applications will not be acknowledged

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Appendix 3

The Trinidad and Tobago
Solid Waste Management
Company Limited

V A C A N C I E S
PROJECT OFFICERS —
TECHNICAL FIELD SERVICES

The Trinidad and Tobago Solid Waste Management Company Limited (SWMCOL) invites applications from suitably qualified nationals to join a team of professionals to work in a challenging, results-oriented environment.

The Job

To supervise and provide technical advice to groups of Contractors engaged in the implementation and execution of the government-funded Community Based Environmental Program (CEPEP)

The Requirements:

- A University degree in Civil Engineering or related discipline
- Minimum of five (5) years' experience in supervising civil engineering works
- Multi-tasking skills with the ability to work on various projects simultaneously
- Proficiency in the use of Microsoft Office Suite
- Project Management training and experience
- Ownership of a vehicle
- Any suitable combination of training and experience

Applications must be submitted by 03rd July 2002 to

Manager Human Resources/Administration
SWMCOL/CEPEP Project Unit
34 Independence Square
Port of Spain
e-mail: info@swmcol.co.tt

Unsuitable Applications will not be acknowledged