

*Leave of Absence**Tuesday, April 01, 2003***SENATE***Tuesday, April 01, 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 Senators from the sitting of the Senate: Sen. The Hon. Glenda Morean for the period March 29—April 01, 2003; Sen. The Hon. Conrad Enill for the period April 01—03, 2003 and Sen. The Hon. Hazel Manning from today's sitting.

**SENATORS' 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. JOAN HACKSHAW-MARSLIN

WHEREAS Senator Glenda Morean Phillip is incapable of performing her duties as a Senator by reason of her 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, JOAN HACKSHAW-MARSLIN, to be temporarily a member of the Senate with effect from 1<sup>st</sup> April, 2003 and continuing during the absence from Trinidad and Tobago of the said Senator Glenda Morean Phillip.

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 28<sup>th</sup> day of March, 2003.”

*Senators' Appointment*  
[MADAM PRESIDENT]

*Tuesday, April 01, 2003*

“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 Conrad Enill 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 1<sup>st</sup> April, 2003 and continuing during the absence from Trinidad and Tobago of the said Senator Conrad Enill.

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 28<sup>th</sup> day  
of March, 2003.”

**OATH OF ALLEGIANCE**

*Senators Joan Hackshaw-Marslin and Magna Williams-Smith took and subscribed the Oath of Allegiance as required by law.*

**PAPERS LAID**

1. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Mayaro/Rio Claro Regional Corporation Chairman's Fund for the period January 01 to September 30, 1998. [*The Minister of Public Administration and Information (Sen. The Hon. Dr. Lenny Saith)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Mayaro/Rio Claro Regional Corporation Chairman's Fund for the year ended December 31, 1997. [*Sen. The Hon. Dr. L. Saith*]
3. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Mayaro/Rio Claro Regional Corporation Chairman's Fund for the year ended September 30, 1999. [*Sen. The Hon. Dr. L. Saith*]

4. Annual Report of the Integrity Commission for Trinidad and Tobago for the year 2002. [*Sen. The Hon. Dr. L. Saith*]

**ORAL ANSWERS TO QUESTIONS**

**Sen. Wade Mark:** Madam President, I have been advised by the hon. Minister that he would like to have another week in order to answer questions Nos. 25, 26 and 27 and I have so consented.

*The following questions stood on the Order Paper in the name of Sen. Wade Mark:*

**CEPEP**

**(Details of Companies)**

25. A. Could the Minister of Public Utilities and the Environment give details about the names and number of companies established and performing public works under the Community-Based Environmental Protection and Enhancement Programme (CEPEP)?
- B. Could the Minister state whether all those companies identified are legally incorporated under the new Companies Act? If not, why not?
- C. Could the Minister further state whether any advertisements were placed in the daily newspapers for notice of public tendering for these public works? If not, why not?

**CEPEP**

**(Criteria for Employment)**

26. Could the Minister of Public Utilities and the Environment inform the Senate about:
- A. (i) The total number of persons employed by each company under the Community-Based Environmental Protection and Enhancement Programme (CEPEP)?
- (ii) The criteria used by these companies in the employment of these persons?
- B. Could the Minister state whether the jobs offered under CEPEP were publicly advertised?
- C. Could the Minister provide the appropriate information and documentation to show that these jobs were advertised?

**CEPEP  
(Money Paid to Companies)**

- 27.** Could the Minister of Public Utilities and the Environment provide details on:
- (i) The amount of money paid to each company under the Community-Based Environmental Protection and Enhancement Programme (CEPEP);
  - (ii) How are the companies paid;
  - (iii) When are they paid; and
  - (iv) How much is each person employed by these companies being paid?

*Questions, by leave, deferred.*

**WRITTEN ANSWER TO QUESTION**

*The following question was asked by Sen. Wade Mark:*

**Contract Workers  
(Detailed Breakdown of)**

- 2.** Could the Minister of Public Administration and Information give a detailed breakdown of contract workers employed by the Government in the various ministries, statutory authorities, state enterprises and public utilities during the period January 2002 to the present time and continuing as follows:
- (i) Names, addresses and positions occupied;
  - (ii) Terms and conditions of service (inclusive of monthly salaries and allowances); and
  - (iii) Duration of their respective contracts?

**Madam President:** I want to draw Senators' attention to question No. 2 in your Appendix I which needed a written answer. I think you would have received part of that answer. The other part would be coming as the information becomes available.

**Sen. Mark:** Madam President, when is it going to arrive? Madam President, I do not want us to have a situation where this particular question goes into the year 2007. I would like us to have a specific time frame when the Minister could really provide us with the answers.

**Madam President:** The Minister said that the disk, I think, is coming today and he would have the rest of the question as soon as he gets the information.

ORAL ANSWER TO QUESTION

**Government's Buildings Rental  
(Details of)**

**41. Sen. Prof. Kenneth Ramchand** asked the Minister of Public Administration and Information:

Could the Minister 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):** Madam President, the Government wishes to state that it is the right of citizens to access government services in locations that are easily accessible and in premises which are conducive to good customer service. Similarly, it is the right of every employee of the State to work in an atmosphere which is comfortable, appropriate to the task, ergonomically friendly and conducive to high performance.

Sadly, these rights have not always been honoured by the State which is the largest employer in the country. In the absence of a planned development programme the State has had to rely mainly on private providers for office accommodation of its employees. This administration, in recognition of the rights previously mentioned, was alarmed at the state of neglect and decay of government-owned office accommodation. A programme of construction for office accommodation is therefore being developed.

*Oral Answer to Question*  
[SEN. THE HON. DR. L. SAITH]

*Tuesday, April 01, 2003*

The following will address the specific questions asked by Sen. Prof. Ramchand: The total number of buildings being rented by the Government at present is 146. Of this total, 15 rental transactions were executed by the present PNM administration and 131 by the previous UNC administration

Because of the length of time it would take to read out the information required for the rest of the question, and with the agreement of Sen. Prof. Ramchand, "Document A" is being laid on the Table. This provides information regarding the addresses of premises; the square footage of the rented space; the rent being paid for each rented space; the owner of each rented space; and the commencement date of each lease or rental agreement.

**Sen. Prof. Ramchand:** Madam President, this is one instance when I asked a question without knowing the answer and without being able to imagine these horrific answers. It is going to take me some time to recover from the shocking disclosures.

Can the Minister say whether he is aware that in many cases the monthly rental is such that one year's rental would be enough to purchase a building? Can the Minister state whether the Government has any plans to acquire and construct buildings for government use, thus stopping the drain of finances and at the same time making an investment in the country?

**Sen. The Hon. Dr. L. Saith:** Madam President, this Government has taken a decision to try and move away from rental of buildings in the private sector, to constructing its own buildings. As you know, we have already agreed to build new accommodation for the Information Division at St. Clair. Work is soon to be started on the new revenue building to house Customs and Inland Revenue. There is a series of buildings to be constructed to encompass Richmond Street and Edward Street. We have approved for the Ministry of Health to build a new building around the Queen's Park Savannah. So, yes, the Government has taken the decision to move towards constructing its own offices.

**Sen. Mark:** Madam President, I wonder if the hon. Minister could indicate to this Senate whether the Government had abandoned the St. Joseph Administrative Complex Plan which was initiated under the previous administration.

**Sen. The Hon. Dr. L. Saith:** The Government has not abandoned any plan. I think we should note two things. That area is subject to significant squatting and any development of that proposal would have to take that into account. We have also noted that previous attempts to decentralize, say, by putting the Ministry of Social Development in Aranguez in the Autorama building, have not proven very satisfactory to people who have to work in it.

**Sen. Prof. Ramchand:** Madam President, I wonder if I can ask another question of the hon. Minister on the same subject.

**Madam President:** Is it related?

**Sen. Prof. Ramchand:** Yes, it is related. I know it really is not a habit for Cabinet to tell Members of Parliament anything, but could Members of Parliament get to know about the plans for the new buildings, et cetera, in good time; perhaps at the same time as the press is informed?

**Madam President:** I think, Senator, I am certain that if you lay a question requesting that information you would get it.

**Sen. Seepersad-Bachan:** Madam President, if I may, I wonder if the Minister could just indicate to us whether any consideration was given to the whole thought of decentralization of the government services, and therefore any consideration given to construction of buildings outside of the Port of Spain area.

**Madam President:** I do not know if you were listening prior, but he did talk about the fact that decentralization did not seem to work and that the Government was looking at it. I heard that answer. Is the Minister prepared to give another answer?

**Sen. The Hon. Dr. L. Saith:** Yes. In fact, Government has under construction right now an administrative centre in Siparia; there are plans to construct buildings in Arima. So there is a continuous plan to put offices where they are needed.

*Vide end of sitting for written part of answer.*

#### FREEDOM OF INFORMATION (AMDT.) BILL

*Order for second reading read.*

**The Minister of Public Administration and Information (Sen. The Hon. Dr. Lenny Saith):** Madam President, I beg to move,

That a Bill to amend the Freedom of Information Act, 1999 be now read a second time.

Madam President, I have learnt my lesson in this Senate and I will not start by saying this is a simple amendment. However, this Bill seeks to amend two sections of the parent Act: sections 4 and 25. The amendment at section 4 clarifies the definition of "Minister" to provide that the Minister with general responsibility for information for giving effect to the Act is the Minister with responsibility for information.

There is a curious history to this. The original Act did provide for the Minister to be the Minister of Information, and some time in the course of 2000 as a result of changes in the structure of the government at the time, there was an

amendment to make it the Minister of Public Administration. Fortunately, today it is all right because the Minister of Public Administration also has the responsibility for information. But I think we need to clearly state in the Act that the Minister to whom reference is made in this Act, is the Minister responsible for Information wherever that Information Division is placed. So that if, in fact, Information was placed under the Ministry of Finance, it would be the Minister of Finance and we need not come back to the Parliament each time there is a change in the allocation of portfolio.

The amendment to section 25 aims to remove all doubt as to who is the Minister that can certify documents relating to national security and to make it quite clear that that Minister is the Minister with responsibility for national security. The way the Act is written at the moment, section 25(2) states:

“A document is an exempt document if it contains information, disclosure of which would be likely to prejudice the lawful activities of the security or intelligence services.”

Section 25(3) states:

“For the purposes of this Act, a certificate signed by the Minister certifying that a document as described in a request would, if it existed, be one of a kind referred to in subsection (1) or (2), established that if such a document exists, it is an exempt document.”

You would understand why I had to read this, Madam President.

As I understand this, it means that if there is a document that would impinge on national security, a minister has to issue a certificate attesting that this document is an exempt one. Unless we clearly define that the Minister who can do this is the Minister responsible for national security, it is possible that any minister would have the authority to determine which documents are likely to prejudice the lawful activities of the Security and Intelligence Services, as well as the defence of Trinidad and Tobago.

Since in all practicality the only Minister who could make that determination is the Minister of National Security, we are suggesting in this Bill that the Act be amended as proposed to ensure that it is quite clear that the question of decisions concerning sensitive documents is a decision which has to be taken by the Minister of National Security. The passage of these amendments would allow for greater clarity and efficiency in the implementation of the Act.

Just a bit of history: This Act was, in fact, debated in this Senate on September 18, 2001 and there are a number of people who are here today who



were then in the Senate. There were only two speakers at the time; the mover of the Motion or the person who presented the Bill, the then Leader of Government Business in the Senate—not Wade Mark—Sen. Lindsay Gillette, and I believe Sen. Morean spoke on behalf of the PNM, and the Bill was unanimously passed and sent to the Lower House. This was in September 2001. By October 2001 the Parliament was dissolved and it could not have been debated in the Lower House, therefore, it has come back to us.

May I also take this opportunity to bring the Senate and, by extension, the country, up to date on some of the work that has been done by the Freedom of Information Unit which has responsibility for the administration of this Act. The Act became effective in February 2001; the unit was established in August 2001 and has since been building its resources to undertake its responsibilities under the Act. If I may just—somewhere in this pile of papers I have the information. This is what happens when you over-prepare. [*Pause*]

As I indicated, the unit began functioning in August 2001 and to date it has undertaken a number of exercises. The two main functions of the unit are to ensure that the stakeholders understand and participate in the exercise. By the stakeholders I mean members of the public and the public authorities. The second is to monitor and report on the operations of the Act by laying in Parliament yearly reports of the activities.

Under the heading of Stakeholders' Understanding and Participation, the unit has had a number of sensitization sessions for the public. Up to July 2002 they have held sessions in Tunapuna, Arima, Mayaro, Sangre Grande and Port of Spain; in the libraries of those areas. In Tobago: Charlotteville, Roxborough libraries and the Division of Works, Scarborough.

In respect of community development centers, they have held sessions in Laventille/Morvant, Bon Air, Maloney, Carenage, Couva, Chaguanas, Rio Claro and Princes Town. Sessions which are planned for next month would be in Ste. Madeleine, Debe, Point Fortin, Siparia and Sangre Grande.

So there has been a constant outreach programme educating members of the public and other agencies, non-governmental organizations (NGOs) and community-based organizations (CBOs), as to the Act and how they can access it.

The unit also had some sessions with the public authorities. They have had two sessions with permanent secretaries, two sessions with designated officers in ministries who are responsible for the administration of the Act, two sessions in Tobago and 93 sessions with individual authorities at their request. They have

also had sessions with the Cabinet, Chief Executive Officers, Permanent Secretaries and heads of divisions and the media, again, the job being to sensitize and make the public authorities aware of their responsibilities under the Act.

They have, in addition to giving templates to authorities as for a reporting system, produced and distributed in an electronic manual the Freedom of Information Act, 1999: A Guide to Implementation and Practical Application. It can be used as a training tool by public authorities and as a generic power point presentation to people whom they want to apprise of what is involved.

The unit has also produced two television features, three radio features, 224,000 brochures published and distributed to national households through TTPost, a website launched in March 2002 which could, and would, facilitate feedback from users. They have produced and distributed 15,000 posters to public authorities and communities; a Freedom of Information (FOI) series produced and published in all newspapers over a six-week period, July to August 2002, and they have set up a help line at 623-7197 for the use of all stakeholders requiring information. So they have gone about a programme of making sure that everybody involved in the exercise is aware and sensitized to what is required.

Under the Monitoring and Reporting System, under sections 7, 8 and 9 of the Act, all public authorities are required to publish statements in the *Gazette* and one daily newspaper concerning the organization, their policies and procedures, the documents they hold and those which are available for public inspection and their contact information. We, in the Ministry, have been vetting these statements. We have vetted 97 so far, of which 23 have been published.

Under this unit in the Ministry we have also set up two databases. A public authority database would list the public authorities and all the data on those public authorities, and a reporting database which is to collect and produce reports on the operation of the Act from these public authorities. We have developed a quarterly reporting system by which the public authorities could report back to the unit on their performance.

During the period August 2001—March 2003, we have had the following requests for documents: August 2001—February 2002, 66 requests were made; 50 were granted in full; nine partially; seven refused; one sent to the Ombudsman for review and which has now been settled, so there is none outstanding. In respect of February 2002—February 2003, 216 requests were made; 161 were granted in full; 31 were partially granted; 24 were refused; 13 were sent to the Ombudsman for review; four have been settled; nine outstanding. As the members of the public and others become aware of their rights under this Act, the number of requests have been increasing and we have been seeking very speedily to review them.

There are ongoing activities of this unit, in addition to these amendments which we hope would be passed today. We need to develop regulations regarding any charges that may be required for information that is in excess of what would normally be required, or where a lot of copies are required. We are preparing the annual report in respect of the first year's operation and we have estimated completion of that within the next two or three months, and that would be brought to Parliament.

We are doing some work on our website. That is part of a project in this year's Public Sector Investment Programme, to allow public authorities to directly input data into the database instead of having to go through the unit; to allow public authorities to communicate, to have a chat session with the unit or with fellow public authorities. We are also creating the access by public authorities to training material and updated information of the unit, and finally, we are hoping in the end to have members of the public access selected reporting information directly. They could go to the website for selected information and directly access it. The whole idea is to make it as accessible and easy for people to get information and also for the public authorities to be able to keep abreast of what is going on.

In 2003/2004 we plan to look at the following: The procedures which we have and how we can improve them so that there is increased compliance by the public authorities. We want to monitor the public authorities and put in systems that would allow us to monitor quickly how they are complying and what could be done. We want to fully implement an automated monitoring and reporting system so that there is fast movement of data from the authorities to the unit and outside.

We would continue the stakeholders' sensitization and assistance on their requests. Importantly, we want to develop and implement strategies geared towards the culture change in the public sector which is required for an increased openness in the conduct of Government affairs and which cannot be solely achieved by legislation. In other words, we need to focus on—while we have the legislation—how to make a culture change in the public service that sees openness and transparency in providing information as the way that they should be going. We would continue to integrate the oversight of this unit as part of the Ministry of Public Administration and Information's core functions.

Madam President, with those few remarks—

**Sen. Mark:** Before the Minister takes his seat, I need to clarify one thing. When did he say the Act came into effect? Was it February 2001?

**Sen. The Hon. Dr. L. Saith:** February 2001.

*Freedom of Information (Amdt.) Bill*  
[SEN. THE HON. DR. L. SAITH]

*Tuesday, April 01, 2003*

As I was saying, with those few words, I beg to move. [*Desk thumping*]

*Question proposed.*

[*Noise coming from the media benches*]

**Madam President:** Members of the media, please ensure that radios, cell phones, et cetera, are turned off. Thank you.

**Sen. Wade Mark:** Madam President, I am very happy to contribute to this amendment to the Freedom of Information Act which, as you know, was piloted and promoted by the government of the United National Congress. I want to say from the outset how happy I am at the almost docile and humble approach taken by my good friend, the hon. Minister. He was not here at the time when the parent Act was debated in 1999, but I can tell you of the violence that was meted out to that Act, you would believe it was warfare.

We have listened very attentively to the hon. Minister of Public Administration and Information on this matter, but when this Act was introduced—he spoke about history of that Act—it met with a number of very colorful descriptions by the then PNM who was in Opposition. It was described as a “sham and a pretence”; “dangerous nonsense”. One person said “it would be used to light a fire stick to burn up the rights of the people of this country”; “an abomination”. In fact, they said it was a “UNC secrecy Act”; “dishonest and treacherous legislation”; “a masterpiece of diabolical contrivance, filled with subterfuge, trickery, deceit and deception”.

**Sen. Dumas:** What are you quoting from?

**Sen. W. Mark:** I am quoting from all of these *Hansard* reports, but I do not want to take up too much of Parliament's time. I thought I should indicate that to you very early because this is a very important amendment. As I said, I am very happy—and my dear friend who acts for her Prime Minister, at that time she was Sen. Joan Yuille-Williams. She is now "Honourable". She has been elevated and promoted. She is now a Minister and she acts at times for the Prime Minister when he is absent.

Madam President, if I may engage you at this time, my honourable friend—you know, sometimes she quotes me, so I want to quote her today. She is a very decent lady, you know. She is not a vicious lady. I do not know what she drank that day, but she was vicious on this matter.

You see, those who forget the mistakes of the past are condemned to repeat them. I am dealing with the history of this Act, because if you do not understand

the context, you are going to be lost. I want to quote from the *Hansard* of Friday, August 27, 1999 at page 474. This is Sen. Joan Yuille-Williams, my dear friend, speaking. I quote:

“It is really a farce, a cover, and a tool that will allow the Government to keep all its documents secret; therefore we are not going to vote for any Bill which will allow it to do that.”

At the end of the day, to cut a long story short, the PNM did not support this legislation. A very progressive, forward-looking piece of legislation was not supported by the PNM. Muhammad Shabazz who was here, took the same position. I do not think Sen. Danny Montano spoke on that occasion, but they all opposed that Bill.

We have an amendment to the Freedom of Information Act and I want to find out from the hon. Minister, Dr. Lenny Saith what has changed from August 1999 to the present? Because as I develop my contribution on the issue of exemptions and exceptions, you would see, for instance, where at that time the Opposition was of the view that there were too many exemptions, too many exceptions. I thought that today we would have had before us a revision of the original Bill, but instead we have a continuation of a measure that was introduced by the then UNC, but because of events we had to go to the polls and this Bill is now before us.

I would like very much to indicate that the PNM, as I said, opposed this measure, but we are dealing with the freedom of information and we are dealing with some minor amendments to this very important measure. As a party in Opposition we had always advocated Freedom of Information legislation: In 1993, Madam President, when you were the Minister of Social Development and Consumer Affairs, and also in 1994. We even brought a Private Members' Motion which was again turned down by the then PNM which was in government at the time.

As you know, freedom of information is a struggle that people have been waging for many decades in an effort to access official government information. This amendment we are dealing with today, when we look at the parent Act and we look at the rationale for it, it was to empower the people to ensure that they have an entitlement to information, to make governments more accountable so that we can scrutinize their affairs. There would be greater transparency in their operations. It would also contribute to the improvement of the quality of decision-making by governments, generally.

This call was made long ago. The basis for it was laid in the Universal Declaration of Human Rights in 1948, Article 19; later, in 1966, by a covenant on civil and political rights where the United Nations was agitating for this question of people having the right to freedom of expression and opinion.

In Barbados in 1980, the Commonwealth law ministers insisted that Commonwealth countries should do everything in their power to enact legislation to give citizens the statutory right to access official state information. At that time in Opposition, we felt that it was our duty because we were in a modernized world and we felt that we ought to have dealt with this issue in a big way. One of the first things we did when we came into government in 1995—1996 was to hold a series of consultations on this question of freedom of information. We are quite happy that we have contributed to that opening of that access.

In fact, Sen. Dr. Saith, in his presentation said that a number of requests have been made but of course still limited—216 for the whole year. There should be 2,016. I want to appeal to the Government to continue its sensitization programme. We did a lot of sensitization while we were there and I think we need to multiply that amount so that people in this country would be able to understand that they have a legally enforceable statutory right to access state or government official information in this country.

There was a basis for it. You cannot run a government in secrecy. You have to be transparent. That is why we insisted that that be done. But for 15 months the PNM has been in power; 10 of those were illegal and then later on they stole an election.

It appears that when we look at this Act—because we cannot escape the reality that there is an Act that is governing this amendment which we are dealing with today, and while the hon. Minister said to us that he intends to bring a report to this honourable Senate shortly, I want to indicate that under section 25 of this parent Act, I think Sen. Dr. Lenny Saith who has been the Minister has a responsibility to bring to this honourable Senate as soon as it is practically possible, a report. He has an obligation. I will come to that report later on. I want to go to section 7 of this Act, Part II. For you to understand what we are dealing with here, we have to refer to the parent Act so that you can make the relevant connection. If you look at Part II of this parent Act at section 7(1), it states:

“A public authority shall,…”

Not “may”; it is compelled under law.

“with the approval of the Minister—

- (a) cause to be published in the *Gazette* and in a daily newspaper circulating in Trinidad and Tobago as soon as practicable after the commencement of this Act—”

Now that Act, according to Sen. Dr. Saith, came into effect around August of 2001—sections of it—including Part II. Listen to what a public authority has to do. I want, for your edification, to define for you in accordance with this Act what a public authority means. It states at section 4:

“ ‘public authority’ means:

- (a) Parliament, a Joint Select Committee of Parliament or a committee of either House of Parliament;
- (b) subject to section 5(2), the Court of Appeal, the High Court, the Industrial Court, the Tax Appeal Board or a court of summary jurisdiction;”

All are public authorities. It goes on:

“(c) the Cabinet as constituted under the Constitution;”

The Cabinet that appears to be lawless at times is also a public authority. It continues:

“(d) a Ministry or a department or division of a Ministry;”

is also a public authority:

- (e) the Tobago House of Assembly, the Executive Council of the Tobago House of Assembly or a division of the Tobago House of Assembly;
- (f) a municipal corporation established under the Municipal Corporations Act, 1990;
- (g) a regional health authority established under the Regional Health Authorities Act, 1994;
- (h) a statutory body, responsibility for which is assigned to a Minister of Government;
- (i) a company incorporated under the laws of the Republic of Trinidad and Tobago which is owned or controlled by the State;
- (j) a Service Commission established under the Constitution or other written law; or

- (k) a body corporate or unincorporated entity—
  - (i) in relation to any function which it exercises on behalf of the State;
  - (ii) which is established by virtue of the President's prerogative, by a Minister of Government in his capacity as such...”

This is what a public authority means. So do you see how wide that particular net is, Madam President?

Now this public authority which we refer to is supposed to publish in the *Gazette* and in a daily newspaper circulating in Trinidad and Tobago, as soon as practicable after the commencement of this Act, which came into effect in August of 2001. PNM has been in power for 15 months, December 24 to the present time—today is All Fools’ Day, April 01. There should be a statement setting out the particulars of the organization and functions of the public authority. Madam President, I just read for you and my colleagues the wide ambit that covers public authority. They are supposed to print:

“...setting out the particulars of the organisation and functions of the public authority, indicating, as far as practicable, the decision-making powers and other powers affecting members of the public who are involved in those functions and particulars of any arrangement that exists for consultation with, or representation by, members of the public in relation to the formulation of policy...”

It goes on at Part II, section 7 of the Act to state:

- “(ii) a statement of the categories of documents that are maintained in the possession of the public authority;
- (iii) a statement of the material that has been prepared by the public authority under this Part for publication or inspection by members of the public, and the places at which a person may inspect or obtain the material;
  - (i) a statement listing the literature available by way of subscription services;
  - (ii) a statement of the procedure to be followed by a person when a request for access to a document is made to a public authority;”

Now, holding consultation and sensitization sessions is great. Getting requests from members of the public and responding, fine. But the law is being violated. The law is being abrogated and infringed. We would like to get an explanation



from the hon. Minister of Public Administration and Information as to why the Government and all these public authorities have failed to publish information.

If we want to sensitize the public on freedom of information and the ability to access that information, one of the ways of doing that is to publish in a daily newspaper, along with the *Gazette*, the functions and all the responsibilities of the department, the ministry, the corporation, the municipality and the regional health authority, so that the population would be more aware of the existence and the kind of information and the kind of functions that these organizations perform. I was lucky; the only one I have seen so far was published in the *Daily Express* dated Thursday 09 January, 2002. It is a public statement of the Ministry of Planning and Development. This is what is supposed to be published by every government ministry, agency, department, state corporation, statutory authority, service commission, everybody.

**2.30 p.m.**

I must compliment Dr. Rowley. He is one of the few ministers who apparently has taken this Act very seriously. He has published this. The Minister of Public Administration and Information should have had in the newspaper—

**Sen. Dr. Saith:** Madam President, I have to believe that the hon. Senator did not follow what I said. I indicated in my presentation, that 97 such presentations have been effected by the Freedom of Information Unit. So far, 23 have been published and we would be publishing as they come along.

**Sen. W. Mark:** I did not follow up that part. Thanks very much, Sen. Dr. Saith. Would you be kind enough to tell us later in your contribution the 23 that have been published so far? We would like to know those that have come before him. The Freedom of Information Unit is responsible, but the Minister has the final say. Based on the amendment before us today, he is responsible.

I think if you want to provide the public of this country with timely information on the operations of any government or public authority, there is need for us to deal with this matter expeditiously. I cannot understand why it has taken so long for government ministries, agencies and state corporations to publish or provide that information to the public of this country. What is the reason for it?

Under section 40 of this Act, the minister is responsible for information. Remember this Act was proclaimed or became operational in August 2000. We are now in April 2003. One would have expected that a party that has been in power for 15 months should have been in the position—seeing that it is so efficient as it claims to be—to prepare through its relevant agency, the Freedom

of Information Unit, a report on the operation of this Act during the year in question and cause a copy to be laid in this Senate. I would like the hon. Minister to tell this Senate what is responsible for this delay. Why has the Minister of Public Administration and Information not tabled a report in this Parliament so far? Which agency is not producing the requirements as outlined in this particular Act? We feel that the public is being cheated by not providing them with the relevant information for their edification and enlightenment.

There are principles governing this Act. One is the right to obtain and secure information. Another is to ensure that public authorities have a statutory obligation to publish key information. They must actively promote open government. It would be a great opportunity to use this moment to speed up public sector transformation to apply the necessary infrastructure.

You talk about automation. That is critical if you want to improve your levels of efficiency where people can access information easily. If you are talking about changing the culture of the public service, this Freedom of Information Act provides a glorious opportunity to do so. Provide the hon. Minister with a great opportunity to deal with it. We know that there are many exceptions to the Act and they have been dealt with in the previous debate which we had.

I have not applied to obtain information under the Act, but I know colleagues who have done so and it took an enormously long period of time to secure it. I do not know if the infrastructure is not properly in place or if there is a lack of staffing in the operation of that particular unit or ministry. Each agency, ministry, state organization, statutory board and state corporation is supposed to have a particular unit with designated officers who would be able to respond rapidly to the requests made by members of the public. We understand that even the Cabinet of this country takes very, very, very long to respond to requests made by members of the public. Something has to be done about that matter. We do not know if the Government is attempting—I would not like to believe it—to suppress information by not providing the information as rapidly as requested.

One of the things we sought to do in this Act was to ensure that the ordinary working man and woman would have access to information without having to engage in excessive cost. If you apply to any government agency for information you are supposed to be given the opportunity to access it without having to pay a price, unless you request copies. If you want to see or read the information you can access it. That is what this process is all about. One legacy that we have bequeathed for this nation during our six short years—and we shall resume—we were able to promote in a very important and positive way, the human rights of

the people of this country to provide them with information which is an important tool of knowledge. Someone described it as the oxygen of democracy. I am proud as a member of this glorious organization to have been part of that process where we provided information to the nation, but was rejected valiantly by the PNM. Even the United Nations has recognized the importance of human rights in the context of human development.

The United Nations in its 2000 report referred to the issue of fundamental human rights. One of the rights that they mentioned was freedom from discrimination. That is something the Government has to deal with as well. We are still to understand what is holding up this important and positive piece of legislation called the Equal Opportunities Bill. Why is that Bill not before the Parliament? One of the rights and freedoms that the United Nations has advocated—and we should try our best to ensure that it is enshrined in our laws—is that of freedom from discrimination by gender, race, ethnicity, origin and religion. That is one of the areas to which I would like Dr. Lenny Saith and the PNM to pay some attention.

Another area that the United Nations has been speaking about is freedom from want to enjoy a decent standard of living. There is also the freedom to develop and realize one's human potential. I am saying that as we talk about freedom of information, it cannot be seen on one leg. We have to see freedom in a holistic way. These are some of the fundamental freedoms that we need to look at. There is also freedom from fear, injustice, thought, speech and decent work. One of the hallmarks of any civilization is the respect those civilizations accord to human dignity and freedom.

Madam President, you would know that our nation has been under constant threat and assault for over the last period. I would like a minister of Government to indicate if I am wrong on this matter. As we talk about freedom of information and look to safeguard our rights and freedoms, it has been brought to my attention that the present regime has embarked on a programme of electronic spying. The Opposition is its first target. Do you know that if you have a cell phone, it is the most dangerous device to walk with under the PNM? I want to bring to the attention of this Senate, just in case we have short memories.

**Sen. D. Montano:** Madam President, on a point of order, the Senator has said almost nothing that is relevant to this Bill. He spent 45 minutes doing it. We have allowed that. He has said a number of things about us. He said that we stole the election. I have stolen nothing. Now he is imputing all kinds of improper motives.

**Sen. W. Mark:** I am not imputing improper motives.

**Madam President:** Senator, you are well aware of what is allowed and what is not allowed in this Senate. I do not think that it is right that you should make those kinds of accusations unless you have the evidence. I have been sitting and wondering when we would hear something about the Bill. Although I appreciate all the information you have given me, I would like you to come back to the amendment.

**Sen. W. Mark:** Madam President, I want to let you know that when we speak about freedom of information, we are talking about the rights of people to access information. We are debating the Bill, but in dealing with this amendment, I want to remind you that the PNM used \$61 million of yours and mine, taxpayers' dollars to purchase an automated monitoring system. You know that, Madam President? It is capable of analyzing voice, data, fax and email.

**Madam President:** Senator, I specifically asked you to stop making reference to what you have no proof about and come back to the amendment. Please do not let me have to ask you to do it again.

**Sen. R. Montano:** Madam President, if I may, I have evidence that my telephone is bugged.

**Sen. W. Mark:** The amendment before us seeks to put the power of information under the control of the Minister of Public Administration and Information. In doing so as a Parliament, we must be aware of certain developments that are taking place in our country. I have proof of what I am speaking about. If you call on me to produce the evidence, I will produce the evidence. Whilst Dr. Saith and his colleagues want to talk about relevance—

**Sen. D. Montano:** Madam President, I beg to interrupt again. Ministers are to be referred to by their title.

**Sen. W. Mark:** Did I refer to you as Danny? Sen. The Hon. Danny Montano.

**Madam President:** Sen. Mark, I think you are going beyond the boundaries now. Please come back to the matter at hand.

**Sen. W. Mark:** On the issue of the amendment before this Senate, section 25 of the Act says:

“(1) A document is an exempt document if it contains information, the disclosure of which would be likely to prejudice the defence of the Republic of Trinidad and Tobago.

- (2) A document is an exempt document if it contains information, the disclosure of which would be likely to prejudice the lawful activities of the security or intelligence services.
- (3) For the purposes of this Act, a certificate signed by the Minister certifying that a document as described in a request would, if it existed, be one of a kind referred to in subsection (1) or (2), established that if such a document exists, it is an exempt document.”

The amendment gave the impression that even the Minister of Public Administration and Information could have issued such a certificate. In an effort to ensure that there is no ambiguity in this issue, the amendment is proposing that the only person authorized to do so is the Minister of National Security. That is the purpose of the proposed amendment. We are quite taken aback on this particular measure. We felt that given all the criticisms that we have been faced with when this Bill was first introduced, the Government would have brought a Bill to repeal this Act. They were so opposed to it. Let us see how they would proceed to have this Act implemented and properly effected.

The population is crying out for information and greater public participation. The Minister of Public Administration and Information should attempt to provide more sensitization sessions so the public would be more aware of this particular development. We feel that if they continue to provide the kind of awareness programmes as they seek to build consciousness, it would go a long way in strengthening the hands of the population to query.

One of the aims of this Act that they opposed was to expose corruption. You must never forget that they accused this side of some of the worst forms of corruption. One of the objectives of the Freedom of Information Act was to provide the Government—the Opposition at that time—with the tools to expose the government. We are doing that today. We are using the Freedom of Information Act as well as other tools and measures to expose the corruption that is taking place in the PNM at this time.

**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. S. Baksh*]

*Question put and agreed to.*

**Sen. W. Mark:** Madam President, as I indicated, I do not know why my colleagues are so raw at the end. This legislation we are amending today, apart

from giving the Minister of Public Administration and Information the responsibility for it, he is the line minister in question. Apart from giving the Minister of National Security that clear responsibility for certifying certain critical documents under section 25(1), one thing we have to do as a people is to use this tool to expose the iniquities and goings-on that we see in the public sector.

You may not be aware, but I want to let you know that just last week the Prime Minister told this nation that he is going to employ a forensic auditor or scientist or an investigator. It was in the Saturday *Guardian*. When we talk about freedom of information, we are saying that freedom of information allows the Opposition and members of the population to scrutinize the activities of the Government. In scrutinizing the activities of the Government we were able to expose corruption at WASA—this is freedom of information—in order for us to see that they were robbing us. There would come a time when I would give you more information on the Water Farm Wells contracts and how a chap called Emmanuel Romain got \$2 million from WASA for doing “nutten”!

**Madam President:** Senator you are going too far. This Bill is not about WASA.

You would get your opportunity one day to talk about WASA. Please come back to the amendment of the Act. You were going very well just before.

**Sen. W. Mark:** I take freedom of information seriously. I believe that this measure we are dealing with is designed to provide the population with some of the answers that the PNM regime has been failing to provide. That is why in the Opposition we have freedom of speech to expose these people because they are hiding behind all kinds of closets. Whilst they are committing crimes against the people of this country, one of the objectives of the Freedom of Information Act is to expose corruption within the PNM.

**Sen. D. Montano:** On a point of order. Nobody on this side has been charged, much less convicted of any crime. On the contrary, there are several on the UNC who have been charged.

**Madam President:** Sen. Mark and other Senators, I am asking you to stick to the amendment and stop making accusations and imputing improper motives to other Senators of this House. I am warning you for the last time.

**Sen. W. Mark:** I believe that the time has come for the Minister to bring regulations to this Senate. I refer you to the relevant section that gives the Minister of Public Administration and Information the authority to bring the regulations. He has been in office for 15 months. He is the most non-performing

Minister that we have in the Government at this time. He had 15 months to bring regulations to indicate to the citizens of this country how much we should charge people when they want to access information. He just indicated to us that he is supposed to bring regulations.

Section 41 of the Act states:

“(1) The Minister may make regulations for giving effect to the purposes of this Act and for prescribing anything required or authorised by this Act to be prescribed. Regulations made under this section shall be subject to negative resolution of Parliament.”

Where are those regulations? When would the Minister bring those regulations here to give full effect to this historic piece of legislation, that was piloted and passed by the United National Congress? We would like to know. The Minister of Public Administration and Information is now given the responsibility for supervising. Section 42 states:

- “(1) A public authority shall maintain and preserve records in relation to its functions and a copy of all official documents which are created by it or which come at any time into its possession, custody or power.
- (2) A person who willfully destroys or damages a record or document required to be maintained and preserved under subsection (1), commits an offence and is liable on summary conviction to a fine of five thousand dollars and imprisonment for six months.
- (3) A person who knowingly destroys or damages a record or document which is required to be maintained and preserved under subsection (1) while a request for access to the record or document is pending commits an offence and is liable on summary conviction to a fine of ten thousand dollars and imprisonment for two years.”

I would like Sen. Dr. Saith to tell us what steps his ministry has taken or is taking to ensure that the records of the State are not tampered with. I have drawn to your attention and that of the Senate how documents within the state apparatus are being willfully and maliciously destroyed by agents of the State. I would like to know what Sen. Dr. Saith is doing about that. When you call for sensitive information you may have personnel who may innocently be directed to have those documents destroyed or damaged and the population would not have access to the information. I would like the Minister to indicate what measures are being taken by the ministry to ensure that public records are preserved from destruction.

That is an important area because we have information of state documents being willfully tampered with by certain agents of the State. That is an area that would ultimately harm public access to information.

I listened carefully to Sen. Dr. Saith. He wants to implement an automated system within this particular framework, in an effort to ensure greater levels of efficiency in the public accessing public or state official documents. Could he tell us how soon? Where is this automation process? He talked about a website. Could he give us the address so that the public would have access to the website?

The struggle in any public sector organization for a change of culture is a tremendous one. It is not an easy exercise. If you have a clear appreciation of your vision, mission or direction, and if you at all times seek to invite the views of the various stakeholders in the process—which they have failed to do in the case of Caroni (1975) Limited—and for them to share the Government's vision for a new public service and administration, it would go a long way in gradually altering the culture. There are embedded values that we have inherited over the years in the public service. Like it or not, if you do not have an efficiently, well-managed and well-organized public sector, the competitiveness of your nation's economy would suffer.

There is an important fundamental in this context. When Sen. Dr. Saith made mention of the culture and trying to address it, I realized that the journey that was started many years ago continues. It is not an easy exercise. He has to start bringing into being many of the initiatives that were taken by my good self. I think that he has abandoned some of them. [*Interruption*] By the former minister of administration. I was making the point before I was interrupted by the former Member for St. Anns. I was a former minister he was a former Member of Parliament as well.

Public officers are human beings and you have to provide them with incentives. You have to inspire and motivate these public officers. You have to provide proper reward systems; have systems of training and re-training; new learning has to be introduced in order to ensure that those workers are able to go the extra mile. At the end of the day we are committed to improving the quality of life of our citizens. What we have an eternal hostility against is discrimination. We are eternally hostile to any government that is promoting racism, discrimination and victimization against large sections of this population. That is why we said that we shall not cooperate with this Government until they change their attitude. It is either they change or we get into power and change the whole process.



I indicate to you that this matter is very important and we reserve our right on this matter as we proceed in this debate. We have asked for certain clarification. We look forward to receiving it. If we are not happy with the response, we shall reserve our position on this matter.

Thank you.

**Sen. Mary King:** Madam President, I stand to support the amendment to the Bill before us, as I am sure that no one but the Minister of National Security can decide which documents would be exempt or otherwise within the ministry. I have some concerns, however, with the Freedom of Information Act. Recently, a Freedom of Information Exemption Order was made in the Senate under section 5(1)(c) of the Act. It states:

“...such public authority or function of a public authority as the President may, by Order subject to negative resolution of Parliament, determine.”

In this Order all the financial and banking institutions owned by the people of this country have been removed and put outside the provisions of the Freedom of Information Act. That Order includes First Citizens Bank group which entails four companies; the Trinidad and Tobago Unit Trust; Export Import Bank; Agricultural Development Bank; Trinidad and Tobago Mortgage Finance Company; Taurus Services; Business Development Company; National Entrepreneurship Development Company and the National Enterprises Limited. Since this Order of the President is subject to negative resolution, I know it is not up for debate in the Senate and I have no intention of debating the Order, as I know that is not allowed. However, I would use the impact of the Order to make the case that section 5(1)(c) of the Act should be amended, such that any future action be subject to debate in the people's Chambers, that is, subject to affirmative resolution of Parliament.

The reason I am asking this is: let us consider any of the state enterprises or corporations for which Government has some control. If we look at T&TEC, NP or WASA, they have been given the resources of the people of this country to provide a service to the nation. In the particular cases of T&TEC and NP, they have been required to make a return on investment. We know that WASA is far from making a return on investment. The Act appreciates that T&TEC, NP and others would have exempt information. In certain cases, information that may govern their competitiveness in these days of World Trade Organization driven liberalization, there is the provision within the Act, that this information would be exempt.

If we look at Part V of the Act, sections 24—32 inclusive comprehensively detail the kind of information that cannot be disclosed. All our publicly-owned financial institutions have under their control, the assets of the people of this

country, some more than others. They are directed to use them fairly and transparently and in certain cases to garner a return on their investments. Of course, there would be certain information of these institutions that must be exempt for competitive reasons and even to ensure the privacy of their customers—all covered under Part IV of the Act. I maintain that there is much information of a policy, strategic and operational nature that should be available, so that we can assure ourselves that their activities are fair and transparent. It is more important today, when we are in a country which is a very divided society indeed, we must be open and transparent.

We are aware of the claims of corrupt and untransparent practices against some of those institutions which have been listed. I am not interested in examining these claims today. As a founding member of the Global Organization of Parliamentarians Against Corruption (GOPAC)—and we are encouraging all members to join—I am deeply interested in ensuring that as parliamentarians, our ability through the Freedom of Information Act to prevent corruption and to ensure that transparency and fairness in the state of our activities is not compromised, by the decision of others without discussion at the level of Parliament. The idea behind laying something for negative resolution, in my view, is that the required action was so obvious that it does not warrant any debate. Pardon me for this, but the Order I refer to restricts the ability of this Parliament to have a say in maintaining one of the pillars of integrity of our system of governance, which we say is very important to openness, transparency and a proper functioning Freedom of Information Act.

It is my recommendation that the Freedom of Information Act, section 5(1)(c) be amended to read “such public authority or function of a public authority, as the President may order subject to affirmative resolution of Parliament determine”.

Thank you.

**Sen. Prof. Kenneth Ramchand:** Madam President, I am impressed and inspired by the courage of the Government showing an interest in information, at a time when 24 hours of information and images per day for the last 12 days, have left the details unclear about the slaughter being conducted in the Middle East. All this information has left us even more confused about why a site known as the cradle of civilization and a city whose rich history metamorphoses so magically into myth, why such a site and city are being razed to the ground in what is being described as a humanitarian war of liberalization. The world still needs information. I am inspired by the Government’s interest in information and their concern that the Freedom of Information Act should be constantly reviewed in the face of changing circumstances.

It seems contrary to the promise of the Freedom of Information Act that the first amendment to come to this place is one that adds to the list of what is exempt from the Act. The details may prove that the exceptions are justified in this case, but I am sure you would agree that it looks bad, that the first amendment to the Freedom of Information Act happens to be the introduction of exemptions to the Act.

**Madam President:** Can you tell me what you are looking at, Senator? I am not sure that I am following you as far as the exemptions.

**Sen. Prof. K. Ramchand:** I am referring to the legal Order. I know that we are not supposed to debate it, but I am just making an observation. On the subject of exemptions, I would like to add to the Minister's announcement of further work to be done to the Act. It is true that he spoke more about facilitating procedures and enhanced public compliance. I hope that the present amendment, therefore, will allow me to express some thoughts on the substance of the Act. In any case, I find it very strange that the Freedom of Information Act comes to this Senate to be debated from the point of view of amendments and we are not debating the substance of the Act.

Madam President, would you not like to find out how the decision to attack Iraq was taken? Who objected on humanitarian grounds and got swept aside? Who knew enough history; who had enough sense of civilization and religion and who was respectful enough to talk about the Sumerian civilization, the Wonders of the World and the glory of the city of Baghdad? Which barbarian decided to ignore religion, culture, history and civilization and sweep down like a wolf on the fold? We need the Minutes.

Madam President, before I tell you what I need the Minutes of, I want to look at sections 25—36 of the Act, to show as my colleague Sen. King has said, that there are clauses in there that indicate the kind of information that needs to be respected and the times when non disclosure and confidentiality are necessary. We have a full list of things. I would not waste too much of the Senate's time by going through all of them. I want to look at one or two to give Senators a reminder of the kinds of things that are justly exempt.

Section 25(1) states

“A document is an exempt document if it contains information, the disclosure of which would be likely to prejudice the defence of the Republic of Trinidad and Tobago.”

Section 29(1) states:

“A document is an exempt document if it is of such a nature that it would be privileged from production in legal proceedings on the ground of legal professional privilege.”

Section 30(1) states:

“A document is an exempt document if its disclosure under this Act would involve the unreasonable disclosure of personal information of any individual (including a deceased individual).”

These sections do indicate a certain kind of information which ought to be exempt. Incidentally, it makes a distinction between information being exempt and whole institutions being exempt. I think that is a wise distinction. Now that I have reminded you that certain kinds of information ought properly to be exempt, I come to section 24.

When this Bill was being debated in 1999, I raised questions about section 24. I raised those questions, perhaps, because I knew that one day an executive would act in a spectacularly disgraceful way against the wishes of the rest of its Cabinet; its intellectuals; students; its whole population and massive populations all over the world. An executive could go mad because nobody knows what they are saying in there; the President of the United States could do something as a one man show and there is no proof or evidence that he had the backing of his Cabinet or military, or that they were taking any kind of technical, moral or spiritual advice from anybody.

I raise the question: Why should the Minutes of Cabinet meetings be exempt from the Freedom of Information Act? I want to know how the debates go on in Cabinet. Who brings matters to Cabinet? Who is a mouse? Who is a man? Who speaks up? Who agrees? Who disagrees? Do they carry on a rational conversation? Do they discuss people? Do they discuss events? Do they provide facts? What kind of discussion goes on in there, where decisions are being taken, announced to the press and then brought in here to be rubberstamped? Given the abuse of Parliament that goes on and given that the people are deprived of the right of consultation at every level, I do not see why the Minutes of Cabinet should be exempt from the Freedom of Information Act.

I have a lot on my chest and I am very depressed about world affairs. I am comparing great things with small. I am warning again that to allow the Cabinet to confuse reasonable confidentiality with secretiveness, as they now do, is to set ourselves on the road to further disaster. I think that the matter is sufficiently

grave to restrict myself to the simple, single request to modify section 24 to make Cabinet Minutes available, at least to Members of Parliament within 48 hours of the Cabinet meeting.

Thank you.

**Sen. Robin Montano:** Madam President, hypocrisy in any form is to be condemned. Hypocrisy occurs when somebody says one thing and does another. Hypocrisy occurs when somebody makes a promise that when he gets into a position to be able to do something about a particular issue, he would do it and then of course, when he gets into that position, he happily forgets what he had said.

I am talking about the Freedom of Information Act. Almost 29 days short of four years ago, in the other place there was a debate on the Freedom of Information Bill. I have a copy of *Hansard* with the contribution of the Member for Diego Martin East who today occupies the august position of Minister of Health. Listen to some of the things that he said and see if this Government has done that with this Bill.

“The fact of the matter is that this Bill is an abomination. I think it is necessary for us in the PNM to give an undertaking that when we are returned to government, we would reverse these dishonest and treacherous pieces of legislation.”

The first opportunity we have to debate a Freedom of Information (Amdt.) Bill is to debate this amendment. The undertaking given, presumably on behalf of the PNM, by the Member for Diego Martin East is nowhere contained in this legislation. “We give an undertaking that when we return to government we would reverse these dishonest and treacherous pieces of legislation.” It is not done.

**Sen. Dumas:** Madam President—

**Sen. R. Montano:** What? A point of order or not? Madam President, if it is not a point of order I am not going to give way.

**Madam President:** Will all Senators sit. I will not allow that kind of behaviour in the House. Sen. Dumas, let me hear what you have to say? Was it a point of order?

**Sen. Dumas:** Madam President, the practice of quoting the debate and discussions of the other House, I think is not practised in this House.

**3.30 p.m.**

**Madam President:** Do you have a Standing Order, Sen. Dumas? I was looking for it myself to find which Standing Order we need to look at.

**Sen. Dumas:** Madam President, it is not a specific point of order in the sense of being a rule but it is a parliamentary practice across the world.

**Madam President:** Yes.

**Sen. Dumas:** I am sure the Senator is aware of that.

**Sen. R. Montano:** No, I am not!

**Madam President:** I was looking for it myself because, as far as I know, you should not be quoting from the other House. Please continue with your contribution.

**Sen. R. Montano:** Is that—I am astonished, Madam President. I am really astonished. And you know what I am astonished about? I have sat in this place before. I sat here for four and a half years; never did I see that! I have seen people quote on both sides and never have I done that—never have I heard that, anywhere! So does that mean, Madam President, that I cannot quote at all? I pause for a reply.

**Madam President:** Sen. Montano, to begin with, you are questioning my ruling.

**Sen. R. Montano:** No, I am not, Madam.

**Madam President:** You were, Senator! And to my understanding it is a convention of the Parliament that you do not read contributions made in the other place, so please continue with your contribution without continuing to do that.

**Sen. R. Montano:** All right, Madam President. Let me just say that it has been said by this Government—when they were in Opposition—that they would reverse this legislation. You know what is extraordinary, is that any time we on this side raise the point that touches anywhere near the bone, they stand on a point of order and try to shut us up; every single time! Well, Madam President, let us see what they say about this, because we are on about freedom of information, and we are on about the Freedom of Information Act. And what I was going to tell you was that this Government, when it was in Opposition, gave an undertaking that one of the things that it would do was to remove the exemptions. They talked about things—and I challenge them to deny me—they said the exemptions should be removed; they should open up the Freedom of Information

Act and everything should come forth. Let me give you some examples, Madam President, of how—real examples—they have used the Freedom of Information Act.

On July 01, 2002, I wrote to the Attorney General, asking certain questions. One of the questions that I asked was this. I asked for any agreement in writing between one: The said Justice Anestine Sealy, the lone Commissioner appointed to the Commission of Enquiry into the circumstances surrounding the construction of the Biche High School on the present site. And two: On behalf of the Government of Trinidad and Tobago, with respect to any remuneration to be paid to her as such Commissioner. [*Interruption*] And this is the answer—if you just bear with me, you are going to see where I am going in a minute. I am talking about freedom of information and the abuse of the Freedom of Information Act. If you will just allow me to make the point, please. Now, what answer did I get?

**Sen. Yuille-Williams:** Madam President, on a point of order.

**Sen. R. Montano:** Oh good grief!

**Sen. Yuille-Williams:** Madam President, I was questioning the Senator's relevance of what he is saying to this amendment that we have here this afternoon.

**Madam President:** Well, he did say he was going to try to make the connection.

I will give you a minute or two to make that connection, Senator, and perhaps then I will rule against you.

**Sen. R. Montano:** Madam President, it will take me a little longer than a minute because I have to quote certain documents and when I am finished quoting them then you will understand. Now the answer—

**Sen. Yuille-Williams:** Madam President, on a point of order.

**Sen. R. Montano:** Oh good grief! Point of Order! Irrelevant, right!

**Sen. Yuille-Williams:** The strategy could be to introduce information into this debate this afternoon that is not relevant, by what the hon. Senator is now saying to you; that he is going to quote from other documents and then we would see the relevance. I am trying to say that at that time, I do not know if you are going to rule against it, but—[*Interruption*]

**Madam President:** I do not get the relevance there. Sen. Montano, just go back a minute because I had lost track when I was speaking to the young lady. What was the issue that you brought there that we are questioning?

**Sen. R. Montano:** Madam President, what I was talking about—if I can start from the beginning again—I was talking about the Freedom of Information Act; I was talking about the dishonesty, the hypocrisy of the present Government with regard to what they said about the Freedom of Information Act; and I was talking about the dishonesty and hypocrisy of the Government in how they practise the use of the Freedom of Information Act. And I was going to give—I am attempting to give to this honourable Senate—very relevant evidence of these charges that I have just made. [*Desk thumping*] And it is the evidence that I wish to give!

**Madam President:** Well Senator, then I will have to rule that you are irrelevant because the amendment does not refer to that. So please come back to the amendment.

**Sen. R. Montano:** Madam President, it is clear to me; absolutely clear to me that you are not interested in a free debate and I will take no further part in this debate! I am out of here.

[*Sen. R. Montano packs his documents and leaves the Chamber*]

**Madam President:** Anybody else?

**Sen. D. Seetahal:** Thank you, Madam President.

**Sen. R. Montano:** This is an abomination.

**Madam President:** Go ahead, Senator.

**Sen. Dana Seetahal:** I am just waiting for some quiet. Madam President, the purpose of the Freedom of Information Act—[*Interruption*] Should I continue?

**Madam President:** Go ahead.

**Sen. D. Seetahal:** Madam President, the purpose of the Freedom of Information Act, the Act that we are now proposing to amend, is to give members of the public a general right of access to official documents of public authorities and for matters relating thereto. Even though we are merely talking about amending the Act to say that “The Minister” in the Act, is the Minister responsible for information, I think it is pertinent to make the point that I feel that the purpose of the Act is, at present, being defeated by the culture of secrecy that we continue to have in the ministries.

The Minister of Public Administration and Information, Sen. The Hon. Dr. Saith, made the point earlier that we have a cultural problem, which mitigates—he did not say exactly these words—against increased openness. But it is my contention that if we are really going to get somewhere in terms of destroying this



culture of secrecy, and if this Act is going to mean something, with its many problems that my colleagues have highlighted; the many exemptions; the many exceptions and so on, it would seem to me that we should start by setting an example. When I say that I mean that the various Ministers of Government should lead by example in attempting to ensure openness and disclosure in their various ministries.

Apart from Minister Saith, recently, both Ministers Valley and the hon. Attorney General, as reported in the *Guardian* newspaper of Saturday March 22, 2003, called for statutory authorities to exercise full disclosure in the their operations and to provide more detailed information to the ministries, so that they could provide information to the members of the public.

Now, it seems to me that, in words, the Members of the Government and the Minister, appreciate the need for full disclosure; appreciate the need for providing to the public information but somehow between the word and the delivery, it is being lost. There are too many letters that people are writing to the various ministries asking for information or merely pointing something out, and there is no reply. If we are talking about providing information or documents and matters related thereto, Madam President, at its basic level one would think that would include a mere acknowledgement of a letter. It would include some common courtesy that okay, I do not have this information now, I will deliver it later. But we do not get that. We have people asking for information from ministries for years sometimes and they send reminders and they do not get it.

So the result—how this Act is enforced—is almost a sham. And I think it is time for the Government, through its ministers, to make a concerted effort to actually do something about providing the proper information in different ways. One example of that that I want to suggest is, through the provision of annual reports from the different ministries.

Madam President, in the last administration there was one ministry that provided annual reports and that was the Ministry of the Attorney General. It has been said that was for a particular purpose, I do not know if that was so, but in any event members of the public could look toward that report and say, this is what is happening there, this ministry is performing; this Minister is passing legislation. It would seem to me that annual reports would serve to give full effect to the purpose of this Act, which is not merely to provide disclosure to the public—and may I repeat that. The purpose of this Act is not merely to provide disclosure to members of the public but so that members of the public could do something with that information.

I have with me, Madam President, a 1983—20 years ago—annual report, “Crime in Floria”. This is the kind of information that I would hope that our ministries would be able to deliver so that we can do something about it, crime. In this report there is an index on crime projections; you have total crime data; total violent crimes; you have graphs; you have crimes divided into different types, motor vehicle theft, you have the different types of people who are committing the crimes by race; you have the age; you, in fact, have some kind of proper reporting of crime throughout the State of Florida. It is my hope that one day we could achieve what Florida did more than 20 years ago, and what currently exists in the Bahamas.

If we, Members of Parliament, Members of the Senate, were to have information like this, if the members of the public and the media were to have information and to be able to access this, it would seem to me that we could actually make some proper recommendation in terms of how we really confront and deal with crime. This is just an example but what I am saying is that if we could put our information in a readable form; in a form that people could look at and say: this is the admitted narcotics use reported from inmates in prison. So you would be able to say there really is a connection between the use of narcotics and the inmates. Not one day to hear somebody say, just arbitrarily that most of our prisoners are drug users. That means nothing! You can take this up with data from the prisons and from the police and actually plan ahead how you are dealing with crime. This is, to my mind, a proper use of information and it is the kind of information that should be readily available to the public.

At present what happens if you want any bits of information from the prison? You have to fight through the Commissioner of Prisons and fight through the officers. They tell you to put it in writing if you just want to say: “Can you tell me whether there are two prisoners by the name...?” Put it in writing. And then you do not get a reply for weeks. It is not any one person’s fault but what I am saying is that we have to lead by example now, not put it off for later. We have too many recalcitrant persons at the top. We do not have a proper system in place to get information out and we are losing by this, whether it is the Ministry of National Security or the Ministry of Education because we cannot properly deal with our problems. If we do not have the information, we cannot learn by our history, Madam President.

I think the amendment is obvious and necessary. In fact, it was an amendment proposed by the last administration that lapsed, as was said, so there should be no contention with it. My simple point is that we need to give some teeth to this Act,

not merely in terms of amending the Act but by putting it into effect and I think we need to have that commitment from Members of the Cabinet and the Ministers to do so.

If anyone wants some kind of assistance in how to prepare the reports that could be useful, I am willing to share what I have. Thank you, Madam President.

**Sen. Brother Noble S. A. Khan:** Thank you, Madam President. Indeed the change seems to be very small, that is in words, but obviously it has raised great questions, as we are hearing here. To my mind, the first thing that struck me was that there appears to be an element of centralizing again; of a swinging inward, when one would think that moving outward is the way to go, particularly, at this time; that is, the age demands that. We are in what has been referred to as the information age and some comments have been made and questions raised with respect to timeliness, as far as the data flows, information is concerned, accuracy and relevancy. Perhaps in this movement towards centralization these benefits could be derived. The centralization which I speak of here in the amendment of identifying two Ministers, particularly, or two portfolios, to which the information would be disseminated. Part of the problems of such a movement is that centralization—and this might be a general law, so to speak—places so much power into one area and that in itself would have its negatives, again, particularly in this age.

The point on culture has been well made and I think all of us appreciate that. We have a culture of distrust and even when we assume positions of power, this continues. For those of us who have our feet on the ground and who relate to those who may be referred to as outside the pale of influence of power, when we relate with them, that distrust comes out, no matter what may appear. Perhaps again it might be our history of slavery, indentureship, colonialism and what have you, but that exists. So that is one of the problems that we have.

I do recall that on the question of use of information, which as I said is the basis of power, very often in past gone, before this Bill came up, questions were raised on how we could deal with that. In a novel many years ago, it was scenarioed in East Africa, colonial empire under the British. It is all in the files; that is how it was termed when we think in terms of looking for data and what have you. But some of us, who have had dealings with files, even in our official capacity, would know very well that the question of getting data too, even in files, becomes very elusive. Very often we may see just a few initials; “Please speak” and major decisions are made on the “Please speak”. So that when it comes, if you were to examine the files or to get that data upon which very important decisions are made it would be very difficult, though decisions are made.

Perhaps this is a part of our culture too and we continue to follow with this type of behaviour. But in terms of dealing with the governance of a country where today so much lip service has been paid, so much hope and expectation is expected that could properly be summarized in the area of participation, collaboration and cooperation. Again these will be some of the words that you would be hearing, which I, and the rest of the Senators may perhaps burden you with, Madam President, but if we are to change culture, change must come within ourselves, firstly. The element of trust is what we have to build so that trust will permeate. That trust must firstly start with ourselves.

My colleague has just mentioned, insofar as change, to start with some motivation so that some day we could reach to that stage where the concept of information and the sharing of information; that stinginess which seems to permeate and which is shared so stingily or so dishearteningly, despite what we may have here and that the system flows. We have heard and we know that—apparently it has not reached down at our ministerial forum—when people approach Ministers they get the data, but that has not flowed to where people meet in relation to what ministries are supposed to give, so there is need to tighten up on that area. I know some work has been done but there is so much more to be done, and again we are dealing with culture and how people behave.

In this sharing I would think that some change would have to be made with respect to the question of the centralization aspects of it. Before we started the debate on this issue, the question was raised on the location of ministries, et cetera, and one gets the feeling that there seems to be a fixation insofar as centralization is concerned, so that we still have a cluster of the ministries staying around the Port of Spain area. That again may be an indication of how we may flow when change takes place.

Accountability has always been one of the areas as far as governance is concerned. We know too well the question of openness, of sharing, of transparency, of removing cloudiness, and these are some of the areas, which I suspect that this change would, hopefully, bring to bear. We hope that will take place and initially, too, when that time comes it would overflow into other areas.

There are other institutions in governments where, I think, information plays a very important part. What comes to my mind is the question of the Ombudsman. Even when matters like that come before him, you know the question of information flows, and this was one of the institutions that was initially brought into play to deal with people-relation things; people at the grassroots and how far the ministries feed that information and even the system. Again we are talking

about change also in our personnel, the techniques that we are taught, the education system, even on the job, how we go about that recording, dealing and feeding that information. It is all well and good to talk about forensic and things like when it reaches to that, as what has been mentioned earlier but one would think that would be for special kinds of behaviours; certain patterns of behaviours. When we think in terms of running a day-to-day machinery for service to the people; I am sure that this is one of the hopes and aspirations to which all of us will subscribe when we think in terms of 2020 and what we hope to achieve before that time. The question seems to be very Herculean in meeting that task, of getting that information flow. There is so much to be done.

In supporting this change we hope that we will see that some of these challenges will be met. I thank you, Madam President, for allowing me these few minutes.

**Sen. Prof. Ramesh Deosaran:** Madam President, if I were on the Government side I would be wondering what is all the talk about because to me that is exactly the point because of the necessity of information in a democracy. I must compliment—it may not be a very popular compliment this afternoon, Madam President—the Leader of the Opposition Business for describing information so graphically, as being the oxygen of democracy. I have learned something, if nothing else, from him this afternoon. [*Desk thumping*] So it is very briefly put, the major reason I believe a number of my distinguished colleagues on the Independent Benches and of course those on the Opposition Benches feel obliged to say a few words.

From my position, Madam President, the debate is about an amendment. It is not on the parent Act itself. As I understand what the debate is about, I would come with my original comments but I would like to respond to several of the points made along the way as the minutes of the proceedings are sometimes recorded, it would be said Sen. Prof. Deosaran joined the debate. That implies to my mind that—and I am saying this so I will put my own comments in perspective—you come here not to speak only necessarily about what you have in mind but perhaps, sometimes—not always—it is good to respond to the important points made along the route of debate. So it is for that reason that I stand and would largely respond to some of the points made during the debate.

Sen. The Hon. Dr. Lenny Saith introduced several notions into the debate. One is changing the culture in the public service. The last speaker, my colleague, Sen. Brother Khan, made the point of the trust but the very Bill is based on the conception of public distrust in its government. An important conception of the

Westminster system, especially in terms of the adversarial nature of government, is that the public must not trust its government; it is the Hobbesian syndrome meaning, that left on their own, as ordinary people do; as human nature is; and having the power at their disposal as they do have, constitutionally and politically, they tend to cross the line if only for their own self-preservation and sometimes having their eyes on the next election.

So structurally, on such premise, a citizen ought not to trust its government. And one of the citizen's instruments of protection is to have an Act at its disposal as a Freedom of Information Act. So it is very important, in such terms, and if there is some inconvenience in a prolonged debate, I wish to submit, with respect, it is well worth it; even if we were to take it to Iraq and Baghdad it is well worth it. So that is the premise; the distrust of a government. There is enough evidence throughout the years to suggest that absolute power does corrupt. So to cut a long story short, I think the messages of restraint, the appeals for transparency and accountability, they are all well justified, not personally directed at the present Government, but as a matter of an important principle of governance and having the citizens feeling confident that they have an instrument now—a Freedom of Information Act—on which they can rely.

It is therefore at this point, Madam President, that I wish to commend the previous regime for having brought this important piece of legislation onto the law books of this country. I must also in the same breath commend the hon. Minister for bringing the amendment, especially in the way that he did. It bothered me, when he was speaking, having to bring, at least, part of the amendment because it once referred to a Minister of Information and such ministry being changed with a change in Government, for us to have, subsequently, a Minister of Public Information, under whose jurisdiction the information portfolio fell, so we had to make changes by amendments.

Madam President, that is really, to put it bluntly, wasting Parliament's time, if another and a better route could have been followed, that is, have your ministries statutorily delineated so that when a change in Government comes, you have 25 ministries, not only in numbers but the names. The jurisdictions change so rapidly that taxpayers' money, in terms of letterheads, moving here, personnel shifting around or you combine piece of a ministry with another, is that really justifiable within one five-year term to another five-year term? And this question is pertinent to the amendment.

The Minister is right in bringing the amendment but I am taking this opportunity to point out something. I had done so before and the then Minister of

Finance, the hon. Gerald Yetming, as he was, agreed with me because he was under pressure to make new letterheads and use taxpayers' money for a number of logistical changes which could have been avoided, if there was, for example, a ministry of information, a ministry of energy, a ministry of education on the statute books, for a long time, unless there was strong evidence for a change. But the whimsical way in which some of these ministries have been changed; some of them having long names that perhaps the poor member of the public does not really know which ministry is responsible for what function after a particular time. Sometimes, even worse than this, they do not know exactly where the ministry is located, they change around so very often, and all that has to do with access to information.

I am hoping one good day a government—any government—would sit and perhaps in the context of constitutional reform, look at this issue in a very serious way so as to provide a greater measure of convenience and accessibility to the public. It seems to me that if you have to be coming here with amendments of this kind, because a name changes and a function changes, it means that the tail is wagging the dog and perhaps you need to tame things down a bit for more efficient public administration.

After listening to my other colleague, Sen. Seetahal, in terms of the crime report, I really could not resist this opportunity. She is quite correct and I am happy to welcome back the distinguished Senator, Minister of National Security; he looks quite refreshed and prepared for the battle at hand, I suppose. While he was not here a number of things happened; he did well at the carnival season but then the BBC report came with its own piece of information to, perhaps, pull some of the carpet from under his feet. But changing the culture in the public service is where the real battle is—the way you do things; meaning you should not need a law for every move you make in the public service.

There was a gentlemen here when I was in the Senate some years ago, who formed part of the NAR Cabinet, Mr. Ken Gordon, and he established a principle in his Ministry of Trade and Industry which I wish to commend, with respect, to all Ministers and all ministries today—and he lived up to it, by testing it several times. If you wrote a letter to his ministry to any of the officers, the citizen writing that letter got a response within seven days. Sen. Seetahal was right; sometimes they do not answer you and there is a lot of psychology with that. You sit behind a desk and so much depends on your signature that you feel 10 feet tall; the sense of power. But if we are speaking about making things easier for the public, this is the very important point. Please acknowledge, if not dealing with the substantive

issue, within seven days, then you will find the citizens having increased confidence in public administration—simple things like answering a telephone call. In fact I might say—I do not want to elaborate on the point—that as a Member of Parliament I wrote a letter to a Minister and copied it to even the hon. Senator, that is about two weeks now. I am waiting. Sen. The hon. Dr. Lenny Saith has a copy of that letter. I am hoping that as he passes me on the corridor he would, at least, tell me something, but I am waiting. Perhaps, I am being premature but I am a patient person. I will wait until the right opportunity comes.

You see, Madam President, I sympathize very much with the Senator, the Minister in charge of public administration, because they have done a tremendous amount of work. Listening to the figures he quoted, and the number of meetings; the sensitization meetings, perhaps I should ask: What else can they do? All these meetings, consultations with different agencies, but if he really checks—I am quite sure he did—the number of people who respond to these invitations, he would find the actual numbers do not match the effort put into the exercise. This is a question that we need to answer because it is not an isolated case. There are a number of instances when government agencies attempt to bring information to the public by having meetings and the turnout is relatively quite poor. So there is something missing and I do not think this is the time to elaborate on the strategies to be used to deal with that particular problem, except to say that in the Ministry of Public Administration they should have some think tank, some special session, to examine why the return, the output or the attendance is not as expected for these sensitization meetings.

Part of the amendment deals with the Minister of National Security and in terms of specifying, it is indeed his role. In terms of exemption there is discretion, of course, with some stipulated conditions. This Minister has the power to rule on an exempted document. If it contains information, the disclosure of which would be likely to prejudice the lawful activities of the security or intelligence services, and on the face of it I will agree with that. I think there are some situations which should be kept under covers because of the climate, the environment, the tensions and the spreading insecurities within which we live.

I am not too sure if our security and intelligence services have the reputation that they would otherwise deserve. There were many occasions when they could have done much better. And I have the feeling; I have the view that given what happened, particularly in 1990, that they have failed this country. And we should be vigilant enough to ensure that they do not fail us again. So the question is how do we know if they are failing us or not. How will we know if they are living up to the standards expected of an intelligence agency or service at a time when



intelligence gathering is so critical? How will we know? How will the Minister of National Security assure this country that the security and intelligence services are doing their job? We agree with the exemptions. In fact, we can even wonder sometimes whether we need protection from some of these intelligence services in terms of wiretapping or other spurious activities that might be undertaken. The public should feel secure because I have been hearing too often people claiming, speculating that their phones are tapped. I hear strange noises in my phone. We need some clarification on this issue because it does breathe insecurity and if you are clamping down on information that people would want to have, I think there should be some kind of clarification with respect to telephone tapping. We know it is illegal as it stands but whether it is done and for what kind of purposes, a statement ought to be made, clearly, at this time.

**Sen. Mark:** The Minister of National Security should make a statement on wiretapping.

**Sen. Prof. R. Deosaran:** Madam President, I am certainly not accusing the hon. Minister; I am taking it at a wider front and this is an issue that should have been raised years ago. This is not directed against this Government or a particular Minister, certainly not. I am speaking about the widespread insecurity people have over their telephones.

I do not think we should go overboard in making these claims but I think there is a viable measure of discomfort with respect to telephone tapping, whether it is undertaken by security services or some other agency, the public ought to know. We will very much come to the point where we will have to make a decision—taking it on the other side—whether electronic surveillance is one of the ways to go in controlling and preventing crimes like kidnapping and other serious drug-related crimes—information. But I certainly do not want to depart and gain your displeasure, Madam President.

This brings me to another point made by my colleague on my right, Sen. Prof. Ramchand—Cabinet Notes. I do not know how serious you are taking this one about disclosing Cabinet Notes or verbatim. I must tell you, frankly speaking, I have a little reservation of going that far unless, of course, he was speaking metaphorically, being the literary artist that he is; perhaps he was trying to make the point that information is vital and perhaps even Cabinet Minutes should be circulated to the national community.

**Sen. Prof. Ramchand:** No, no, no, Madam President, I beg your pardon, I said, at least, to Members of Parliament.

**Sen. Prof. R. Deosaran:** Well the way I know this country, giving Members of Parliament something like that you might as well save—let us put it this way, that is a very economical way of getting it to the national community. I am a little reserved on the point, for obvious reasons. You know, we have an adversarial system of government; you have people who are waiting to see what went on and it is very complicated, although I understand the intention of the proposal but I do not want us all to be voyeurs overnight; just to peep and see what everybody is doing, unnecessarily, and take the reverse position.

My final point is the question of record management. This is a proposal I want to make to assist the Minister in what is clearly a difficult task of information management, dissemination and access. The state of record management, as I know it in the public service, is in a mess and I see he is agreeing with me, which means I will not have to spend too much time persuading him, except to say briefly that we need training programmes, and you have to stop the practice of putting each and everybody, trained or not, appropriately knowledgeable or not, into record management. Record management is a public administration science in itself. So with all the apparatuses that we are creating, and the importance of the legislation, it needs to be supported by efficient, effective, record management. I think that is a matter that I would recommend, very respectfully, that the Minister looks after.

There are one or two other points I have but perhaps that would be gilding the lily, as it were, but hearing the eloquence by speakers preceding me, I thought I would fulfil my own obligation to say a few words, as I have done.

Thank you very much, Madam President.

**Sen. Carolyn Seepersad-Bachan:** Madam President, I am pleased to join this afternoon's debate on the amendment to the Freedom of Information Act. On the point of clarification, I think I heard the hon. Minister of Public Administration and Information indicate that—the Act itself—this amendment came to the Upper House in September 2001 and there were two speakers, and before going to the Lower House, Parliament was dissolved. But I just want to say for the record—I have it in front of me—that it actually went to the Lower House in May 2001 and it was piloted by the hon. Ralph Maraj, who was the then Minister of Communication and Information Technology. So it did go through the Lower House before coming to the Upper House. I think the problem was that it was not assented to.

I am pleased to note this afternoon that the People's National Movement is probably no longer opposed, as one would gather, to freedom of information, and

probably the legislating secrecy and so on has all gone through the window, et cetera. But you see, Madam President, the PNM was never committed to open transparent governance, neither were they in support of good governance. For that, Madam President, if I just take a quick look at one of the issues that was brought up here this afternoon by the Independent Sen. Mary King which spoke about— By the way, the Senator was using National Petroleum (NP) as just an example; NP is not listed here because I know that before I left there, we actually prepared all our documents and indexes, et cetera, for the Freedom of Information Act. But by and large her example was that no state agency should really be exempt, because given the provisions of this piece of legislation and, as Sen. Seetahal indicated, there are several areas, which will allow you to apply for exemption of information, for such information not to be circulated in the public domain. I did have experience when we had to go through stuff like tenders and so on to ensure that trade secrets; patents and so on that the company would come into possession of, would not in any way end up into the public domain and cause the company, in some way, to have violated some arrangement or agreement and brought itself into litigation.

Madam President, there are provisions within the Act and this is why there were the exemptions but you see what I have a problem with is why have we started listing all these entities, which I would consider public authorities? I would have imagined the intent of the Act of that clause 5, was really to exempt public authorities such as those that may have been set up; the Ministry of National Security or for national security reasons. Therefore, I fail to understand why Trinidad and Tobago Unit Trust Corporation, the Agricultural Development Bank and the Trinidad and Tobago Mortgage Finance Company Limited, these are public authorities that should be accountable to the public. They should be open and transparent and we should be able to understand the policy that guides their decision-making and so on. These are the sorts of institutions where it is very likely—and we have seen recently in the Trinidad and Tobago Mortgage Finance Company Limited—that there can be abuse of public funds.

Madam President, this is just an example of the PNM non-commitment to openness, transparency and good governance. We speak here this afternoon about the whole efficiency and effectiveness of this particular amendment to the Bill in terms of making the Minister of Public Administration responsible for freedom of information. We can talk about setting up the websites and yes, all the public authorities should get involved and changing the culture of our people, but if it does not start from the top that culture change will not take place, neither will that paradigm shift. We have to ensure that as people gain this information; as they

obtain this information that they are able to effect it or to be able to take action. This is one of the reasons the Freedom of Information Act, under the UNC and even before that while they were in Opposition, was considered to be so significant in combating corruption.

Madam President, the United National Congress government took a holistic approach to combating corruption and the Freedom of Information Act was the first element of it because the information that you acquire via the mechanisms established under the Freedom of Information Act allows you now to be able to take the particular action and hence the reason that the United National Congress went about and established the Integrity In Public Life Act. For example, if information is obtained that can show that there is abuse in public office, then it can be handled under the Integrity In Public Life Act and similarly, the Equal Opportunity Act. But here it is a lot of these bills and Acts that have passed through this Parliament, successfully, the PNM administration has not taken the time to deal with any of them and to ensure that they are enacted. For no good reasons have we heard why the anti-corruption legislation is not before this Parliament.

Madam President, during the last administration the Bill was there with all the measures, and if one looks at the Law Reform Commission report one would see that it was properly researched; the consultants were here; they gave their input into the anti-corruption legislation, but yet still if I obtain information from the Freedom of Information Act to demonstrate to me that there is corruption, there is not the Act in place which will allow for it to be dealt with effectively.

So the Government has not given good reasons as to why they have not brought the Bill back to Parliament, after 12 to 13 months in Government. So the Freedom of Information Act will be of no value unless the citizens of this country can use the Act and the information so obtained to be able to take the necessary action. To take that action and to have that impact, we must have these other pieces of legislation in place. So therefore once more, we must have an Equal Opportunity Bill in place; we must have the anti-corruption legislation in place.

I really fail to understand why the Attorney General is taking so long because only the other day she brought back another consultant and paid hefty consultancy fees, I would imagine, to review this piece of legislation. But the Bill is there already. It was tabled here in Parliament but because of the dissolution of Parliament the Bill lapsed itself. Madam President, I fail to understand why it is they have not brought this back to Parliament. I feel it is because, again, they are not committed to being an open and transparent Government. So this is why we

see this long list—and possibly it would continue to get longer—of all these exempt public authorities. This is setting a very bad precedent at such an early time in their governance.

One of the other issues that I wanted to deal with in terms of the changing of culture, as some of the Senators here alluded to, is having this culture of openness and transparency and being committed to good governance by all our public sector participants, be it all the public servants or whether they are employees in the state enterprises. We have to give them that responsibility. We have to entrust on them that they have to become accountable. We have to ask them to liaise with the public. We have to get them into that mode in saying okay, I will show you how to apply for the information as is stated in the Act. The Act clearly states that you are committed—the public authority that is—to assisting; they are duty-bound in assisting the citizen in his enquiry or his request for information.

So this is one of the ways that you can deal with that. If you try to centralize, as Sen. Brother Khan was talking about, and leave it only to the Ministers, then the public authorities will not be able to get that hands-on grasp; that hands-on approach to becoming open and transparent. Probably what will happen is that public officers themselves, be it in the state enterprises or ministries will now become committed to saying okay, every time I take a decision it is with the expectation that this will be in the public domain; that is just one of the approaches. But what is important is that we must understand that in order to achieve that—Dr. Saith wants to go on tea break. Yes, Dr. Saith, I will finish in 3 minutes.

**Sen. Dr. Saith:** No, you have all the time after tea. You have an extension of time.

**Sen. C. Seepersad-Bachan:** No, no, I do not need to take 45 minutes.

Madam President, let me just get back to the point I was making. In terms of the whole issue on transparency, what is very important under clause 5, is that we should not be seeing an abuse or the frustration of the intent and that is that exemption for public authorities. It is important and instructive to note at this point in time that one of the areas considered to be exempt, and can be done by order of the President, is a commission of enquiry. I wonder if that is one of the reasons that this administration is so determined to continue with the large number of commissions of enquiry, other than using the legislation that exists to enquire into the many matters that they want to enquire into. But, Madam President, what happens is that at the end of the day this administration is only concerned about maligning; they are only concerned about allegations; they are

only concerned with bacchanal; they are not really concerned with the instruments and the mechanisms provided through legislation to allow for proper investigation in a fair and equitable manner. This is why I say that the present administration, if it wants that culture change, and if it is committed, sitting here and telling us about this one amendment is inadequate. We need to see further steps beyond the Freedom of Information (Amdt.) Bill. We need to see other pieces of legislation come to this Parliament if it is to give power to the Freedom of Information (Amdt.) Bill; other than that it would be of no value.

I thank you, Madam President.

**Madam President:** Hon. Senators, I think this is a good point at which we will take the tea break. The sitting is now suspended until 5.00 p.m.

**4.29 p.m.:** *Sitting suspended.*

**5.00 p.m.:** *Sitting resumed.*

**Sen. Mark:** Madam President, just a point of clarification for our benefit: Can you guide us? We would like to cooperate as much as possible with the Senate and your good self as the Presiding Officer. We would like to find out from you, in the context of what took place earlier—and I want to make it very clear that no one is challenging your ruling—about the interventions that were made at the particular time and the ruling you made.

**Madam President:** What are you referring to?

**Sen. Mark:** I am referring to the incidence involving Sen. Robin Montano. I was concerned about your having given him an opportunity to develop his point within a two-minute time frame and before he could develop his point, Sen. Joan Yuille-Williams rose on a point of relevance and you reversed your ruling. We have some difficulty in terms of what is taking place. We thought that, just from a point of clarification and guidance, that you could tell us exactly what was the basis for that kind of reversal.

When I was speaking, I said something and Sen. Joan Yuille-Williams rose again on a point of order and you ruled. When I was going to raise a point, she rose again and she said I was challenging you. I said I was not. In the instance with Sen. Robin Montano, she actually challenged your ruling.

**Sen. Dr. Mc Kenzie:** Sitting here with a very peaceful disposition, I want to suggest that if you are to sort this out, that this be done in your Chambers. Thank you very much.

**Madam President:** I was just about to say that. I would, first of all, get a copy of *Hansard* so that I can go over what was said. I have already asked my secretary to call you tomorrow morning and we will sit and talk about it.

If there is nobody else, would the Minister please—

**The Minister of Public Administration and Information (Sen. The Hon. Dr. Lenny Saith):** Madam President, I thank all Senators who have contributed to this debate. There are a number of issues raised which, even though they are not dealt with in this amendment, would guide the Ministry in future on how it implements the Act and in whatever we need to do to strengthen it.

Let me start by dealing with Sen. Mark's contribution, only because it was the longest. Every time I listen to Sen. Mark and his contributions, especially about the good work he did as Minister of Public Administration and how much I should learn from what he has left, I sit and wonder why, at the end of five years, they not only disbanded the Ministry, but they banished the hon. Senator.

**Sen. Mark:** He is pelting stones; I will pelt boulders. That is not the subject of the debate.

**Sen. The Hon. Dr. L. Saith:** I wonder, if I were to follow his advice and do the same thing whether I would be subjected to the same treatment.

Freedom of information is not licence to make irresponsible statements. If there was one thing I felt concerned about was that we moved away from the debate on a very important issue and went into areas to which I do not propose to respond because I do not believe them relevant to the debate.

Sen. Mark did ask about the website. I have a feeling he was not paying close attention to what I was saying; but for his information the website is [www.foiagov.tt](http://www.foiagov.tt) and it was launched in March 2002. I say March 2002 merely to indicate that we have been doing some work in the last 15 months of our legitimate occupancy of the government.

Perhaps I can begin to deal with the issues raised by other Senators in respect of some very important criteria by which this Act would be implemented and where we go with it. Let me, first of all deal, with the issue of the non-publication of statements. One of our Senators raised the question of statements being published. I did indicate that 97 statements were vetted by the Unit; 23 have been published and Sen. Mark asked whether he could have a list of those that were published. I asked my officers to get it. I was going to suggest he apply under the Freedom of Information Act for the information, but I do have the

information. They are the Ministry of Communications and Information Technology, that is the Ministry on 2001; the Ministry of the Environment, Statutory Authorities Service Commission, Bureau of Standards, Land Settlement Agencies, Small Business Development Company, Eastern Regional Health Authority, Ministry of Finance, National Enterprises Limited, Agricultural Development Bank, Ministry of Energy—

Do you want me to go through all?

**Sen. Mark:** Was that published in the daily newspapers?

**Sen. The Hon. Dr. L. Saith:** Yes.

**Sen. Mark:** Maybe you can circulate it.

**Sen. The Hon. Dr. L. Saith:** It does point to one of the weaknesses in the Act, as it now exists. There are really no sanctions on a public authority for non-publication. Once this amendment is passed and we are quite clear as to the Minister who has responsibility, as part of a comprehensive review of the Act that is being undertaken, we will see whether we need to put something in to strengthen the mechanism by which we can have increased compliance by public authorities.

We are walking the line that I alluded to. There has to be a culture change because we cannot do everything by legislation. This is how the Act will provide maximum benefit. In between, we need to look at areas where there are no sanctions, so that we can strengthen the Act by putting sanctions in place.

The question of laying the report was raised. The Act says “as soon as practicable”. This unit was set up in August 2001 and took a little time to get going. In 2001, it was operational for four months and it has been operational for all of 2002 and now 2003.

I had a discussion recently with the staff as to how we should report—what is the one-year period? Should it be August to August or the calendar year? I was of the view that we should go with the calendar year and, therefore, we should do a report from April 2001 to December 2002, which, given the fact it was a start up, is a reasonable period. That would be the first year. I am assured that such a report is being prepared and I hope, within a month or two, to lay that report. I think it is very important.

Sen. Seetahal made the point that we should provide the information as quickly as we can. I have learnt, especially in this new age of communication, that the absence of information leads to the growth and flourishing of rumours. So, even from the point of view of ensuring that rumours are kept to a minimum, I



give the Senate the commitment that, on these matters, we will seek to provide the information as quickly as possible.

The question of Cabinet Minutes was an interesting contribution. It came with “shock and awe”. Cabinet Minutes are not verbatim records of the discussion in Cabinet and, therefore, what the hon. Senator wishes to ascertain in terms of who was against, who was for and who vehemently opposed is really not available in a Cabinet Minute. Cabinet Minutes are, in fact, the decisions of the Cabinet. We all know that there are Cabinet Minutes which find themselves all over. Sen. Mark often boasts to us that they come flushing down.

**Sen. Prof. Ramchand:** Could the Minister speculate to himself or wonder among his colleagues whether it is possible to start the practice of keeping Cabinet Minutes?

**Sen. The Hon. Dr. L. Saith:** I will speculate in the tea room with the hon. Professor. Suffice it to say that I have been told by my officers—and they are trying to verify it and take it for what it is worth—that only one request came for a Cabinet document and it was made available. I am not sure. That is what I have been told and I have asked them to check it. If I am wrong, I will so correct it, but I do not see anything implicit in the way the legislation is written that if a request were made for a particular Cabinet document, unless it covered the exempt or matters of national security, that it would not be given. In fact, most Cabinet decisions find their way into the public domain, either in respect of unofficial leaks or statements by ministers, statements by the Prime Minister or policy positions on a matter.

Sen. Seetahal raised two points, one of which is to enforce the Act. I assure her that we will try always to enforce the Act. The question of annual reports for ministries is something I take note of and, as Minister of Public Administration and Information, I will find out exactly what is involved to see if we can speed up. I agree with you that the more people, including the public service, know that they have to be accountable in public, the more likely it is to get action in respect of this culture change we are trying to launch.

I did indicate some of the work that we plan to do this year. Included in this are recommendations for amendments to improve the administrative efficiency of the Unit and, by extension, the Act; and suggestions for policy development leading to amendment of the Act and/or development of complementary legislation. We are aware that, after a year and a half—almost two years—of the operation of the Act, we have enough information to go back and see where it is

not working and the problems associated with it. I assure you that we will come to the Parliament, in due course, to make it more effective.

The Government has taken the position that it is a piece of legislation on the books of the country. Let us make it work and whatever reservation we may have had about the possible misuse by those who, at the time, presented it, we should not do anything that would make a reality its misuse by anyone. We will continue to look at the Act and see what is necessary.

That is why I indicated that some of the work that we are doing in respect of the automation and the making of the website user-friendly is to open it up as much as we can to the public. One Senator raised the question about all these consultations and what they achieve. I think it is Sen. Prof. Deosaran. Like him, I believe, that there must not only be a culture change in the public service, we must also foster a culture change in the general public about their role in working the system to enable information to go out. He raised matters that I think will come under constitution reform in whatever form it comes. However, even in constitution reform, how do we really engage the public and how do we get them to understand that their involvement is important in what we do?

So, Madam President, the question of how Ministers interface with the public is a lesson for all of us. We each have our own style in dealing with things. I assure Sen. Prof. Deosaran that all communication addressed to me are acknowledged and responded to within the seven-day time frame and all calls that are made to me are responded to by me within 24 hours. That is my style. There may be others who have different styles. I have a little difficulty when correspondence is not addressed to me as to how to respond, but I think he understands that.

Sen. Bro. Khan talked about the mistrust between the governed and those who govern them. I think it is something that has crept very much into the society. It is incumbent on those of us who have the responsibility to lead—I talk not only about leaders in government, but leaders in opposition, members of political parties, heads of NGOs—to work towards that. In the end, whatever you do and all the information you make available, if it has been put out in an environment where people start off by not believing what you say, then you have difficulty in convincing them that the information they have they should take on board.

These are issues that are not peculiar to this Bill or to this Government. They are issues that will form the nucleus of the debate on how we govern ourselves and how we make the act of governance one that people buy into and appreciate.

Madam President, I think I have covered most of the major points. I wish to say again that by passing these amendments and clearly defining the Minister and the Ministry's responsibility, it will allow the Ministry to proceed quickly with some of the issues that are to be dealt with, including the issue of coming back to Parliament with amendments. I trust that we will get the full support of all Members of the Senate on these amendments. As to further amendment of the Act, I think it should await the time we come to debate the substantive amendments. This is merely to clarify and allow the Ministry to proceed with a clear mandate of dealing with the Freedom of Information Act.

I thank you.

*Question put and agreed to.*

*Bill accordingly read a second time.*

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

*Senate in committee.*

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

*Clause 2.*

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

**Madam Chairman:** I have an amendment, but it is put here for clause 5. I need clarification on this because there is no clause 5 in the Bill.

**Sen. King:** In reading the Bill brought before us today, we have said that the Freedom of Information Act is amended in section 4 and section 25(3). I would like it explained to me by somebody in authority, the real reason that we cannot also amend section 5(1).

**Sen. Dr. Saith:** This Bill is to amend the parent Act in specific areas. We are now looking at the parent Act and I give you the assurance that the suggestion you have made here will be passed on to my people to see, in the amendment of the parent Act, whether they would want to deal with it. We cannot deal with this specific amendment because we are not at this stage dealing with the parent Act.

The point you have made is taken and I will pass it on to our people. They are looking at specific areas of the Act that we need to come back to Parliament with.

**Sen. Prof. Deosaran:** Are you implicitly opening up the door for suggestions so that you can pass them on to your drafts people?

**Sen. Dr. Saith:** If we are saying we would like to review the Act as it is now, on the basis of experience I would like to think that other people's experiences will also be valuable to that review.

**Sen. Prof. Deosaran:** If I submit some suggestions to you—

**Sen. Dr. Saith:** I will pass them to the people looking after—

**Sen. Prof. Deosaran:** A very good gesture.

**Sen. Mark:** I just want clarification from Sen. Dr. Saith. When he said that we were not dealing with the parent Act, the reality is that the Bill before us is to amend the parent Act. So, what Sen. King is proposing is that, in an effort to avoid the Government agreeing to exclude organizations and not only tabling it in Parliament—it does not require any debate unless we file a motion within a certain period—

**Sen. Dr. Saith:** I know what “negative” and “affirmative” means—

**Sen. Mark:** But how do we stop the Cabinet from continuing along these lines in terms of exempting?

**Sen. Dr. Saith:** Well, you have under the negative resolution the power to bring a motion to debate it. Am I right?

**Sen. Mark:** I think you are correct on that one, but Sen. King is going further. She is saying that rather than make it—

**Sen. Dr. Saith:** —make it affirmative. I am saying we will look at all that. I understand her to say that we should make it affirmative so that the debate starts immediately. I am saying that we will look at it but negative does not necessarily mean no debate. It just makes the process a little longer in terms of the debate. That should not stop you, Sen. Mark.

**Sen. Mark:** No, I do not think it should stop us, but would you like to consider the proposal at this time?

**Sen. Dr. Saith:** If we have to do a series of amendments, I would rather take them as a whole rather than picking this one out at the moment and putting it in.

**Sen. King:** Madam Chairman, why did we not do that now when bringing this little amendment? Why did we not look at the Act holistically?

**Sen. Dr. Saith:** I am told that one of the things we have to do very quickly was to clarify the position of the Minister so that when he does bring the amendments, we are quite clear that he has that authority, otherwise we will just

let it go until we have everything ready. I think it was quite clear that the last government felt it was also necessary because as soon as they passed the amendment in 2000, they came back quickly, in 2001, to make that clarification so that the Ministry's responsibility on it would be quite clear.

**Sen. Mark:** The last government did not bring these exemptions. This current regime brought it. Unit Trust must be out; Mortgage Finance must be out; First Citizens must be out. Sen. Dr. Saith is saying that if we want to get information on that, we have to engage in a motion and a debate later on, whereas we thought he would have been able to give us some justification for that action. Unless we file a motion to get a debate, that will become law. Unit Trust would no longer be under the surveillance of this Parliament in terms of the public authorities.

**Sen. Dr. Saith:** This Order was placed since February. This amendment will not deal with this issue any more.

**Sen. Mark:** We are saying that we can stop the Cabinet—

**Sen. Dr. Saith:** You do not want to stop the Cabinet in terms of future decisions; you want the Cabinet decision to be debated and you can either do it affirmatively or negatively.

**Sen. Mark:** "Affirmative" is automatic; you cannot take decisions unless you bring it for debate. Madam Chairman, I understand the point that is being made. I think it is a point the Government ought to give some consideration.

**Sen. Dr. Saith:** I have indicated that I will do that. If it can be debated, let us debate it. Can I prevail on the hon. Senator to withdraw the amendment?

**Sen. King:** Madam Chairman, I am assuming he is not going to consider the amendment and he has asked me to withdraw.

**Sen. Dr. Saith:** Yes.

*Amendment withdrawn.*

*Question put and agreed to.*

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

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

*Senate resumed.*

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

*Adjournment*

*Tuesday, April 01, 2003*

**ADJOURNMENT**

**The Minister of Public Administration and Information (Sen. The Hon. Dr. Lenny Saith):** Madam President, I beg to move that this Senate do now adjourn to Tuesday, April 08, at 1.30 p.m. [*Interruption*]

I think we will deal with the Bills on the Order Paper in the same order, but the Kidnapping Bill will also be on the Order Paper. [*Interruption*]

It may be Income Tax (Amdt.) Bill, Kidnapping Bill and Commissions of Enquiry (Amdt.) Bill. The Kidnapping Bill is an important bill for the safety and well-being of the citizens of this country.

**Madam President:** Hon. Senators, there is a motion to be raised on the adjournment. Dr. Kernahan.

**Caroni (1975) Limited  
Offer of VSEP**

**Sen. Dr. Jennifer Kernahan:** Madam President, the Motion before the Senate is, and I quote:

The failure of the board and management of Caroni (1975) Limited to enter into direct negotiations with the recognized majority trade union with respect to the restructuring of the company, inclusive of the VSEP package offered.

Let me state for the record that the position of the UNC and, indeed, of the thousands of workers affected by this action is very clear. We of the UNC say to a restructuring process, a positive process, which is collaborative with all the stakeholders involved, "yes". However, to dictatorship, to pauperization of thousands of workers, to social and economic dislocation of over 100,000 workers involved directly and indirectly in our society, we say a resounding "no". To the corruption and undermining of the established bargaining processes and institutions in our country, which we see under attack today by this Patrick Manning administration, we also say a resounding, "No". This is our position on this Motion.

The Patrick Manning administration is justifying its brutal, heavy-handed, dictatorial, anti-worker approach to the future of Caroni (1975) Limited, on the basis of a—

**Sen. D. Montano:** Madam President, on a point of order, I would remind this Senate of Standing Order 35(2). This is a matter before the court and, therefore, I think that the speaker should be very careful about what she says, as the matter must not be influenced one way or the other.

**Madam President:** Senator, please take note of that. Is that before the court?

**Sen. Mark:** It is before the Industrial Court. That does not mean we cannot debate it.

**Madam President:** He did not say we could not debate it. He just said to be careful with any reference. I am not sure myself which part of the matter is before the court.

**Sen. Mark:** He is stealing her time. Madam, you will give her injury time? Three minutes have gone already. I am taking note.

**Madam President:** Sen. Mark, you are taking more of the time. Go ahead.

**Sen. Dr. J. Kernahan:** This Patrick Manning administration is attempting to justify its heavy-handed and dictatorial approach to the question of the future of Caroni (1975) Limited on the basis of the sentiment that it constitutes a drain on the national economy.

We have to look at this in the context of what type of economy we have in order to make sense of that statement. In a report of the Committee to Consider the Rationalization of the Sugar Industry, headed by Prof. Spence in 1978, under the last administration, in order to understand what is happening and the importance of Caroni (1975) Limited to this society, the committee started off in chapter 3 its analysis by attempting to do just that—understand the type of society and economy we are talking about when we talk about Caroni (1975) Limited being a drain on the economy.

This is from chapter 2:

“The role and importance of the sugar industry in the economy of Trinidad and Tobago.”

I will paraphrase very quickly some of the characteristics the committee identified in this economy:

- (1) we are an open petroleum economy;
- (2) this tends to be highly capitalized and therefore has less labour needs;
- (3) there is a high level of income and together with that a high level of unemployment.

The committee, therefore, came to the conclusion that the problem of this economy is the reduction of unemployment rather than raising the level of income. That was one of the important considerations when we looked at our economy and what affects it.

Given the nature of our petroleum open economy, characterized by high unemployment, the committee of thinkers and economists said to the national community that one of the important policy priorities of any government should

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be the reduction of unemployment. What do we have here today? The policy of the PNM Government, in the year 2003, amidst all the uncertainties of a war-torn global environment, is to increase unemployment, suffering and misery and bring pain and economic and social dislocation to over 100,000 persons in South and Central Trinidad by its indecent haste to dismantle the jobs of all these workers in one fell swoop.

What is the justification for that, given the fact that one of our primary policy objectives is to decrease unemployment in the society? The only answer to that is that, in the politics in Trinidad and Tobago, as in the international politics, might, however irrational, is right. They are intent on imposing their will on the workers and the people of Trinidad and Tobago without the requisite interaction, dialogue and input from the people who will be most affected by these moves.

I do not know if the Minister would have had the opportunity to listen to the cries of the workers in Caroni (1975) Limited concerning what he is proposing to do. I know that due to circumstances beyond his control, he is unable to stick around long enough in Caroni, but I have here a newspaper report of Friday, March 14—the *TnT Mirror*—the headline of which is:

“Caroni VSEP will be my death warrant”

This is a 40-year-old man, who has recently taken out a housing loan offered to Caroni workers, who has two young children in school and who is facing the prospect of going home with a measly \$29,000. He is seeing ruin for himself and his family. I would like to quote some of the things he has said in this article:

“If, or when, I sign that Caroni VSEP on April 3, I will be signing my death warrant.

Very disheartened, he told the *TnT Mirror*: ‘If I have to sign that VSEP, it will be as if Patrick Manning put a gun to my head and pulled the trigger.’”

The Minister, through his high-tech promotion programme is making very heavy weather of the counselling and training that will be available to workers after they sign the VSEP on April 03, but this is what the workers think of that. This is a quote:

“The company says that the VSEP workers will get counselling but what kind of counseling can they give me that will pay off for the loan and put food on my table for my family?

Counselling is just a load of...; what I need is money to pay for my home and to provide for my family and no talk can do that, only work.”



This is the desperation of workers facing destitution and pauperization in this economy; facing a government that does not understand economic policy and what is established in this open volatile economy. We have to bring down unemployment in this country. One of our top priorities has to be to provide work for our people

The sugar industry is one of the most labour intensive areas of our country because oil and the downstream industries do not provide the level of employment. The economists have already said that, therefore we have to find some way in our small developing economy, in this very competitive world, to provide some basic cushion for our people where they can earn a living and be productive members of the society.

It is clear that the PNM has no limits to its brutal excesses. When they talk about Caroni being a drain on the economy, from this report of the Committee to consider the rationalization of the sugar industry, the sentiment is highly questionable. After this committee made an analysis of the different economic aspects of what Caroni (1975) Limited produces—what is exported and what is imported—I would like to read one conclusion after its analysis of the economic situation of Caroni (1975) Limited and how it relates to the wider economy and the further society. The committee stated that it would be difficult to argue that the financing of the industry by Government necessarily represented a cost to society. This is the Spence Committee on Rationalization of the Sugar Industry.

The Committee went on to state that the analysis entitled them to calculate that as long as the subsidy was less than one-third of Caroni (1975) Limited's total expenditure, net foreign exchange savings/earnings would exceed the net domestic finance provided and hence impose no burden to society. It went on to say that it could also be shown that some net foreign exchange would accrue to the society as long as that proportion did not exceed 0.44.

This is the Spence Committee and this is why we are demanding that the Government bring a plan for Caroni (1975) Limited. Give us the figures. In this report, a lot of the propaganda about Caroni (1975) Limited being a total drain on the society is not necessarily true. It is one of the few industries that provide foreign exchange to this country and actually earns its keep. After you factor out all the inputs, as they did very thoroughly, they came to the conclusion that it is not necessarily a drain on the economy.

This is not to say that we are not talking about restructuring. Restructuring is positive; restructuring is necessary. In fact, the UNC government had a plan for the restructuring of Caroni (1975) Limited, which was violently opposed by the

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present administration and now they are bringing certain plans which look suspiciously like those we had proposed.

One of the major problems we have with the VSEP package being offered by this Government is that the union has not had the opportunity to sit and dialogue with the Government on a number of important factors to do with retrenchment. This is what we are very concerned about.

The union is saying that they need a new collective agreement for the 2002—2004 crop, which must be completed before this VSEP package is accepted by the workers. An enhanced VSEP offer must be based on the year to be negotiated wage rates of this pending agreement. This has not yet been discussed. The proposed bell shape method of calculating severance benefits is financially unsound. Pensions must be paid immediately if workers are offered VSEP. If Government proposes that workers will have to wait until they are 65—this worker is 40 years old—he is facing retrenchment; a house to pay for, two young children and he has to wait until 65 years to get his pension. The 45-day period for the acceptance of the VSEP is inconsistent with the 90-day period under the existing collective agreement. A manpower audit is needed to determine the requirement of producing 75,000 to 80,000 tonnes of sugar. What are the criteria to be used in assessing the quality of canes that Government wants to buy from cane farmers? What are the specifics of the reallocation of the Caroni (1975) Limited lands project?

**Madam President:** Sen. Dr. Kernahan, you have about 15 seconds.

**Sen. Dr. J. Kernahan:** But where are the displaced workers to be deployed? I have a document in which the restructuring of the sugar industry was referred to as being done in Cuba, but they know, down to the crossing of their Ts and the dotting of their Is what they will do with all their workers and this is documented.

I wish that the Government would bring a credible plan to Caroni (1975) Limited so that the workers will feel happy and comfortable in their own minds of a future in this country. They are citizens and deserve a future in this country. Thank you.

**The Minister of Agriculture, Land and Marine Resources (Hon. John Rahael):** Madam President, once again it is my pleasure to be in the honourable Senate. On this question of Caroni (1975) Limited, every time I get the opportunity to explain what we are doing, it seems that there are some people who cannot comprehend. We are restructuring the company so that it would be more viable and the cost to the taxpayers of Trinidad and Tobago, which is in excess of \$500 million, would no longer be that. We are giving the workers of Caroni (1975) Limited the opportunity to become entrepreneurs and to own their own farms.

Since we are going to remain in sugar, we will still be cultivating cane and, instead of producing 100,000 tonnes of sugar, our target will be 80,000 tonnes of sugar. The company will no longer be involved in cultivating cane. The responsibility of the new company will be the manufacturing of sugar and they will have to use cane in order to manufacture sugar; therefore the factory will remain in operation. There will be no need for two factories. There will be one factory grinding the cane and we will purchase cane by quality, as recommended for the last 25 years, but no administration since then has taken it upon itself to ensure implementation of a lot of the recommendations that are being put in place today.

What we are doing is nothing new. Caroni (1975) Limited, instead of being involved in cultivating cane, is going to farm that out to the workers of Caroni (1975) Limited. Cane cultivation alone will create 1,500 farmers because we still have to produce over 300,000 tonnes of cane. Right there and then, we are creating economic activities, empowering the people to own their own farms and, while the cane is growing, they can be intercropping so that they will earn additional revenue and will be a lot better off than with the low paying wages they are getting right now.

More than that, we are saying that all the other areas will remain in agriculture. If we were to take citrus out—I believe I have explained this before—we have 3,300 acres of citrus and NAMDEVCO together with Caroni (1975) Limited and the Ministry of Agriculture, Land and Marine Resources have identified 12 to 15 acres of land for citrus purposes, which will sustain a farmer and give him a comfortable living with a just reward for his labour. If you were to divide 12 acres into 3,300, we will come up with approximately 300 new farmers, so that we are creating entrepreneurs; we are creating employment. When we have all these farmers running these farms, there will be additional employment involved. It is the same with rice, cattle and dairy. What we are doing is saving \$500 million a year so that we could build more schools, more hospitals, pay the doctors more and try to become more efficient in every area.

What has been done with BWIA is no different than what is being done with Caroni (1975) Limited, except that the workers of Caroni (1975) Limited will have more opportunities than any other worker because the land is going to be leased to them. They are going to be given the first preference; they are going to be given the first opportunity to lease a parcel of land so that they can get involved in agriculture.

In the agriculture area alone among citrus, rice, beef, cane farming and food crops, 6,000 acres of land will be designated to food crops so that each individual

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will have a five-acre plot of land to grow food crops. That, in itself, will create 1,200 farmers.

We in the Ministry of Agriculture, Land and Marine Resources have developed a tremendous number of agricultural estates where they grow all these food crops on five-acre plots and which have been proven to be successful and farmers in fact earn a good living from that. All of this will be available to the Caroni (1975) Limited workers first and foremost and, in addition to that, it lends itself to food security in Trinidad and Tobago. What is the use producing all this cane that is a drain on the economy if, at the same time, we can transform that into productive use? That is what we are doing.

The fact about the union is that the stakeholders have met with the union since June 2002. It is all documented. I have recited it over and over. In fact, the union had input into all our discussions. Obviously, the daily-paid union will not agree because of the effect it would have on the union. I sympathize with the union executive. I understand their circumstances. I encourage them to get other workers in other fields.

I get back to the point that the Senator raised and that is, whether the board and the management had any meetings with the union. First of all, I would like to point out that Mr. Rudy Indarsingh, President General of the All Trinidad Sugar and General Workers Trade Union is a member of Caroni (1975) Limited's board. He has been a member since 1998 or 1999. This administration re-appointed the board and we appointed Mr. Indarsingh a member of the board. Let us start from there.

The management of Caroni (1975) Limited met with the union—and I would like to read into the record the minutes of that meeting held on February 03 at the Sevilla Club. Present were Mr. Deosaran Jagroo, Manager Corporate Re-engineering/Industrial Relations; Ms. Ria Ramdeen, Research Officer. Present for the union were Mr. Rudy Indarsingh, President General and his executives; Mr. Sylvester Marajh, Vice President, Mr. Pooran Rattan, General Secretary, Mr. Balgobin, Labour Officer and so forth.

“Mr. Jagroo welcomed all those present. Mr. Jagroo began by saying that the Company wrote to the Union; at this point he was immediately interrupted by the President General of the Union who asked by whom was the said letter written. Mr. Jagroo indicated that the letter was signed by him on behalf of the Company and that it was written with due authority. The Union then wanted to know on whose instructions was it written. Mr. Jagroo then told them that he was under no obligation to tell them on whose instructions the letter was written. Mr. Jagroo then told them that if they do not accept the authenticity of the letter, they are free to leave the meeting. The President General and the

Vice President of the Union then began verbally abusing the Company representatives. Mr. Marajh then began asking the question again of who wrote the letter. He then got up from where he was seated and walked directly to the table at which Mr. Jagroo was seated and lifted it and threw it on Mr. Jagroo thus causing Mr. Jagroo to fall to the ground together with all documents. After picking up all fallen documents, both Company representatives left the meeting.”

**Sen. Mark:** You see how emotional the meeting was.

**Hon. J. Rahael:** This is not emotional talking; this is desperation because this is the union representative. I also want to tell the hon. Senator that the workers of Caroni (1975) Limited are very concerned about what is taking place and that the Union has gone to the Industrial Court and was granted an injunction. Right now the VSEP is on hold. Nothing is happening. The workers themselves are now rising against the union because they want their VSEP. They want to be able to move on and become farmers in their own right, to own their own farm and, therefore, we are ensuring that the people are empowered, so that they will be able to move forward with their lives.

I am sorry I did not walk with the story of Molly—which is not really her true name—Women in Cane. I do not know if Senators had the opportunity to read those articles. One of them said she really did not want to be in cane, but at a very early age her parents got her involved and she thought she was going to do it for a short while, but she is still doing it with all the problems that are experienced by people working in the cane field—getting up 2 o'clock and 3 o'clock in the morning; some of them if they do not have a torch light have to walk with a flambeau in order to see where they are going, and the kind of diseases, the problems they have experienced. Why is it? I think it was the leader of the UNC who said he would be moving the workers of Caroni (1975) Limited away from cane and into other kinds of industries. I do not know if you remember. So we are doing it. Instead of “woulda, coulda, shoulda”, we are active because we are a progressive Government. We are a Government of the people, for the people and for all the people.

Madam President, I thank you. [*Desk thumping*]

*Question put and agreed to.*

*Senate adjourned accordingly.*

*Adjourned at 6.02 p.m.*

**WRITTEN ANSWER TO QUESTION**  
**Government's Buildings Rental**  
**(Details of)**

41. Sen. Prof. Kenneth Ramchand asked the Minister of Public Administration and Information:
- Could the Minister 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?

*Office of the Prime Minister (OPM)*

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/Rental Agreement Current	Commencement Date of Lease/Rental Agreement Original
	Telly Paul Building Cor. New and St. Vincent Streets, Port-of-Spain	Telly Paul & Company Limited	OPM	Owner	2,408	8,688.00	1,320.00	1/01/99	1/08/80
			MPU&E – Environmental Comm.	Owner	4,285	18,000.00	2,700.00	1/01/99	1/08/80

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Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/Rental Agreement Current	Original
	78 Independence Square, Port-of-Spain (Beacon Building)	Caribbean Insurance Co. Limited	OPM - Accounting Unit MP&D - Audit Sec. MF - District Revenue Services	Owner Owner Owner	2,694 2,693 5,006	13,000.00 13,000.00 24,000.00	1,950.00 1,950.00 3,600.00	1/03/01 1/03/01 1/03/01	21/06/89 21/06/89 21/06/89
	Albion Plaza, Corner Victoria Avenue and Albion Street, P.O.S	RGM Limited	OPM	Owner	9,378	126,603.00	18,990.00	1/12/02	1/12/02
	62 Abercromby Street Port of Spain	Ricky Ramnarine	OPM -NADAPP	Owner	6,035	22,000.00	3,300.00	15/01/98	15/10/98
	Autorama Building El Socorro Road, San Juan	Autorama Ltd.	OPM - Social Services Delivery	Owner	44,486	120,000.00	18,000.00	19/11/01	19/11/01
	125 Eastern Main Road, Barataria	Dr. Harold Nunes	OPM - Social Services Delivery	Owner	2,429	6,500.00	-----	19/12/91	19/12/91
	233 Eastern Main Road, Tunapuna	M. Chai	Social Services Delivery	Owner	3,040	8,360	-----	1/10/97	1/10/97

Ministry of Agriculture, Land and Marine Resources (MAL&MR)

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement	
								Current	Original
	118 Frederick Street, Port of Spain	Sa Gomes Limited	Land and Surveys	Owner	17,065	62,000.00	9,300.00	17/09/98	1/07/98
	110-112 Frederick Street, Port of Spain	Anthony Aboud	Land and Surveys Board	Owner	1,378	5,512.00	826.80	1/12/99	1/12/99

Ministry of the Attorney General (MAG)

Ref.	Address of Property	Owner	Occupier	Payee	Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement	
								Current	Original
	78 Independence Avenue, San Fernando	Shaffick Hosein	Office of the Director of Public Prosecutions	Owner	5,543	14,500.00	2,175.00	1/01/03	1/01/00
	112 Henry Street, Port of Spain	Matouk Holdings Limited	Criminal Law Department - Office of the Director of Public Prosecutions	Owner	22,000	72,000.00	10,800.00	1/10/97	1/10/97



Auditor General (AG)

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/Rental Agreement Current	Commencement Date of Lease/Rental Agreement Original
	11 Independence Ave., San Fernando	Gulf Insurance Co., Limited	Auditor General (South Office) ME&EI – Electrical Inspectorate	Owner	4,918	14,656.00	2,198.40	22/09/99	15/03/85

Ministry of Community Development and Gender Affairs (MCD&GA)

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/Rental Agreement Current	Commencement Date of Lease/Rental Agreement Original
	2A Nelson Street, Port-of-Spain	Agostini Brothers Limited	Consumer Affairs	Owner	8,681	21,000.00	3,150.00	1/2/99	1/2/99
	146-148 Coffee Street, San Fernando First Floor Ground Floor	Hoyte's Electrical Service	Community Development, Victoria West Office & Sport Affairs	Owner	4,218	5,000.00	750.00	18/09/94	18/09/80
					800	1,600.00	240.00	1/01/94	1/01/94

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/Rental Agreement Current	Commencement Date of Lease/Rental Agreement Original
	7 Lothians Road, Princes Town	Dr K Ramdath	Community Development – St. Patrick District Office	Owner	4,803	9,210.00	-----	1/07/98	24/04/91
	24 Ramsaran Street, Chaguanas	K Samsundar	Community Development Office (Chaguanas)	Owner	2,806	4,209.00	631.35	18/06/96	
	358 Brierley Street, Sangre Grande	Bharat Roopchand and Bhagmati Sooklal	St. Andrew/St. David District Office	Owner	1406	3,318.16	-----	8/01/99	8/01/99
	39 Frederick Street, Port-of-Spain	Nicholas Development Limited	MS&YA – Head Office	Owner	18,624	74,496.00	11,174.40	1/11/01	1/11/94

Ministry of Culture and Tourism (MC&T)

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/Rental Agreement Current	Commencement Date of Lease/Rental Agreement Original
	12-14 Nelson Street Port of Spain	Homemade Ice Cream Limited	National Steel Orchestra	Owner	4,304	26,900.00	4,035.00	15/08/00	15/08/00
	51-55 Frederick Street Port of Spain	G.V. Holding Limited	Head Office MCD&GA ME	Owner Owner Owner	14,985 5,478 5,478	97,405.43 12,000.00 12,000.00	14,610.81 900.00 900.00	1/08/02 1/05/98 1/05/98	1/08/02 1/08/90 1/08/90

Ministry of Education (ME)

Ref.	Address of Property	Owner	Occupier	Payee	Rented SpaceSq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement	
								Current	Original
	Savi Street, and Boodooville Circular Road, Sangre Grande	Prakash Persad	North Eastern Education Division	Owner	4,390	17,490.25	2,623.54	15/09/98	15/05/98
	86 Frederick Street, Port-of-Spain	Broadway Properties Limited	Education Project Co-ordinating Unit	Owner	6,084	15,210.00	2,281.00	1/02/98	1/02/95
	17-19 Pembroke Street, Port-of-Spain	Polanc Holdings Limited	Bonds/Accounting Unit	Owner	5,504.	27,515.00	14,127.29	1/06/99	1/07/92
	#15 Wainwright Street, St. Clair	Sharma and Jennifer Basdeo	UNESCO/OAS	Owner	8,202.	41,500.00	6,225.00	9/09/99	9/09/99
	#64 Pembroke Street, Port-of-Spain	Dr Ian Millar	Central Education Unit	Owner	2,706	10,147.00	1,522.05	1/11/00	1/11/81
	#50 Jerningham Ave., Belmont	Teachers' Credit Union	POS and Environs School Supervision Office	Owner	3,945	12,000.00	1,800.00	1/04/00	1/09/96
	33 Pembroke Street, Port-of-Spain	SMACK Limited	Accounting Unit	Owner	10,174	40,000.00	6,000.00	1/01/99	31/07/92
	Cor. High Street and St. Croix Road, Princes Town	Kenneth Hosein	Divisional Office	Owner	3639	10,000.00	1,500.00	9/09/99	9/09/96
	45 Pembroke Street, Port-of-Spain	KRG Investment Holding Limited	Human Resource Division Technical & Vocational Education and Training Division	Owner	12,739	55,416.39	8,312.46	1/09/00	1/09/00

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Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/Rental Agreement Current	Commencement Date of Lease/Rental Agreement Original
	TIWU Hall 114 Eastern Main Road	Transport and Industrial Workers Union	Ibis High School	Owner	4,390	11,000.00		15/02/02	15/02/02

*Elections and Boundaries Commission (EBC)*

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/Rental Agreement Current	Commencement Date of Lease/Rental Agreement Original
	134-138 Frederick Street, Port-of-Spain	Winfield H. Scott Trust Co. Limited	Head Office/Registration Offices	Owner	29,310	174,130.00	26,119.50	1/03/99	14/02/92
	54 Fifth Street, Baratania (Ground Floor)	Andriede Phillip	San Juan/Barataria Registration Office	Owner	1,173	2,400.00	-----	1/01/99	1/03/85
	Cor. Robinson Circular and Pro Queen Street, Arima	Ann. Redman	Arima/Piarco Registration	Owner	5,167	12,500.00	1,220.70	1/09/97	1/02/84
	Hosein's Building, High Street, Princes Town	Kenneth Hosein	Princes Town Registration Office	Owner	4,000	7,800.00	1,170.00	1/01/98	

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Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/Rental Agreement	
								Current	Original
	Ojoe Road, Sangre Grande	Leela & Ramkaran Rambocas	Sangre Grande Registration Office	Owner	1,265	3,500.00	-----	1/07/01	1/10/95
	Lot 33c O'meara Road, Arima	Big '3' Limited	Stores	Owner	12,632	17,684.80	2,652.72	1/09/98	1/09/95
	Double R Building #1326 SS Erin Road, Penal	Ranji and Chandra Ramlochan	Registration Area, Sub-Office – Penal Debe	Owner	1,160	5,000.00	-----	1/06/01	1/06/01
	11 Hamilton Street, Scarborough, Tobago	Caroline Investment Co. Ltd.	Tobago Registration Area Office	Owner	1,560	8,900.00	1,335.00	1/09/01	1/09/01

Ministry of Energy and Energy Industries

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/Rental Agreement	
								Current	Original
	Cor. Eastern Main Road & Cochrane Street, Tunapuna	Kanraj Maharaj	Electrical Inspectorate	Owner	2,890	6,000.00	900.00	1/2/98	1/2/98

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Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/Rental Agreement Current Original
	70-76 Pointe-a-Pierre Road, San Fernando	Jap's Auto Services (William Austin)	South Office	Owner	8,929	28,000.00	4,200.00	1/07/00 1/07/97
	116 Frederick Street, Port of Spain	Moonan Enterprise (Trinidad) Limited	Central Tenders Board and Office Ministry of Energy Industries	Owner Owner	12,400 14,000	66,700.00 75,300.00	10,005.00 11,295.00	1/12/01 1/12/01

Ministry of Finance (MF)

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement Current Original
	Warehouse #4 Fernandes Industrial Compound, Laventille	Fernandes Industrial Centre Limited	Customs & Excise	Owner	7,560	11,340.00	1,701.00	1/06/00 1/06/00
	Warehouse #6 Fernandes Industrial Compound, Laventille	Fernandes Industrial Centre Limited	Customs & Excise Division	Owner	16,000	20,000.00	3,000.00	1/02/01 1/02/01

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Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement	
								Current	Original
	80 Independence Ave., San Fernando	Shaffick Hosein	Inland Revenue Division	Owner	5,847	17,500.00	2,625.00	1/07/98	1/07/98
	20 St. Vincent Street, Port-of-Spain	Anthony N. Sabga Limited	VAT Administration Head Office	Owner	22,270.00	74,137.50	11,120.63	1/08/95	1/08/89
	TECU Building Southern Main Road, Marabella	Texeco Credit Union Co-operative Society Limited	VAT Office	Owner	6,232	17,000.00	2,550.00	1/08/93	1/08/90
	6 Prince Street, Arima (Ground Floor) (First Floor)	Mahadeo & Judy Mathura - do -	District Revenue Services (St. George East) VAT Office	Owner - do -	3,000 2,724	9,000.00 6,100.00	1,350.00 915.00	1/03/97 1/03/01	1/03/92 30/04/98
	76-78 St. Vincent Street, Port-of-Spain	Colonial Life Insurance Co., Limited	Personnel Department - Head Office	Owner	17,085	38,652.00	5,797.80		30/11/87
	4 Market Street Extension, Chaguanas	Mulchan and Indra Sawh	Valuation Division	Owner	3,463	10,500.00	1,575.00	19/01/98	19/01/98

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Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement Current	Original
	82-84 Queen Street, Port-of-Spain	Victoria Court Limited	Inland Revenue Division	Owner	29,005	179,830.00	26,974.50	1/07/97	15/10/83
	Brierley and Henderson Streets, Sangre Grande	Mrs Phyllis Maharaj	Valuation Division	Owner	931	2,000.00	-----	1/07/98	6/04/81
	109 Henry Street, Port-of-Spain	Caribbean Insurance Co., Limited	Valuation Division	Owner	13,019.6	50,000.00	7,500.00	1/12/99	1/09/77
	6-8 San Fernando Street, San Fernando	Leroy Lee Chong	Customs & Excise Division	Owner	5,470	11,000.00	1,650.00	1/01/00	1/08/80
	400 Eastern Main Road, Sangre Grande	Percy Thomas	Inland Revenue Division	Owner	6040	12,080.00	-----	10/4/99	10/04/99
	Chaguaramas Defence Force Headquarters	Chaguaramas Development Authority	Customs and Excise Regional Training School Caribbean Fisheries Training Institute Government Training Centre	Owner	8,940	15,590.00	2,338.50	1/01/94	9/10/74
	High Street, Princes Town	Jennifer & Jury Mohammed	District Revenue Office	Owner	5358	10,000.00	-----	1/06/01	1/01/89



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Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement	
								Current	Original
	63 Ramsaran Street, Chaguanas	Seeraj Gopaulchan	District Revenue Office	Owner	5,112	12,400.00	-----	9/05/97	1/09/86
	70, Independence Square, Port-of-Spain	Nicholas Development Limited	Customs & Excise Division - Head Office	Owner	49,838	246,600.00	36,990.00	1/06/01	1/09/86
	92 Wrightson Road Port of Spain	Mr. Robin Debideen	Inland Revenue Division (Training Section)	Owner	6,500	54,439.00	8,165.85	1/05/00	1/05/00
	Central Bank Building, St. Vincent Street, Port of Spain (Level 13)	Central Bank of Trinidad and Tobago	Divestment Secretariat	Owner	3,250	21,125.00	3,168.75	1/05/00	1/05/00
	Tradezone Complex El Socorro Road (Warehouse)	Anthony & Annette Rahael	Ministry of Finance Personnel Department and Service Commission	Owner Owner	26,200 2,310	54,374.00 4,158.00	8,156.00 623.70	1/04/02 1/05/01	1/01/99 1/05/01
	Corner Independence Square, South and St. Vincent Street, Port of Spain	ANSA McAL Limited	Inland Revenue Division	Unit Trust Corporation of Trinidad and Tobago	1,750	9,625	1,443.75	1/04/98	1/04/98

Ministry of Health (MH)

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Rental Agreement Current	Commencement Rental Agreement Original
	10-12 Independence Square, Port-of-Spain	PIDCOTT – TIDCO	Head Office	Owner	25,695	100,000.00	15,000.00	1/01/01	27/01/95
	Building #4, Eric Williams Medical Sciences Complex, Mt. Hope	North West Regional Health Authority	Transport Division and Health Sector Reform Programme	Owner	12,906	18,250.00	2,737.50	14/08/97	14/08/97
	#27 Frederick Street, Port-of-Spain	A.A. Laquis	Health Education Division	Owner	10,049	30,729.70	2,709.56	1/07/99	1/09/76
	#42 Independence Square, Port-of-Spain	City Drugs Investments Limited	Project Administration Unit	Owner	12,322	37,000.00	5,550.00	13/06/97	13/06/97
	43-45 Frederick Street, Port-of-Spain	Solomon Ali	National Aids Programme	Owner	4,861	14,900.00	2,235.00	1/12/99	1/12/99
	3 Queen Street, St. Joseph	Comsure Real Estate Co., Limited	Insect Vector Control Division	Owner	7,111	20,000.00	3,000.00	1/01/99	16/09/82

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Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Rental Agreement Current Original
	102-104 Coffee Street, (Howard Lane) San F'do	Mrs Dianne Ramdhin	Insect Vector Control Division (South)	Owner	2,186	5,000.00	-----	1/07/00 1/07/97
	92 Frederiek Street, Port-of-Spain	Turok Limited	Chemistry, Food and Drugs Division	Owner	16,122	50,000.00	7,500.00	1/09/99 1/02/90
	Queen's Wharf, St. Vincent Street, Port- of-Spain	Port Authority of Trinidad and Tobago Limited	Insect Vector Control Division	Owner	423	1,057.50	158.63	1/11/99 1/11/99

Ministry of Housing (MH)

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement Current Original
	2 <sup>nd</sup> Floor National Housing Authority Building, South Quay	TATIL	Head Office	National Housing Authority	60,800	260,000.00	39,000.00	1/11/94

Integrity Commission

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement Current Original
	Unit Trust Corporation Headquarters No.82 Independence Square, Port of Spain	Trinidad and Tobago Unit Trust Corporation	Integrity Commission	Owner	6,989	83,868.00	12,580.20	1/06/01 1/06/01

Judiciary/Magistracy (J/M)

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement Current Original
	4 Toco Road, Sangre Grande	Bhim Ramdhan	M – Sangre Grande Magistrates Court	Owner	4,761	15,500.00	2,325.00	1/07/01 1/06/97
	5 Hollis Ave, Arima a. (Ground Floor) b. (Top Floor)	Govind Lilawatti & Romila Maharaj - do -	M – Arima Magistrates Court - do -	Owner - do -	4,260 4,860	6,200.00 5,500.00	1,755.00 825.00	9/01/97 2/06/97 9/01/90 2/06/97
	7 Court Street San Fernando	Madimah Investment Limited	Judiciary/Magistracy	Owner	11,355	34,000.00	5,100.00	

Ministry of Labour & Small and Micro Enterprise Development (ML&S&MED)

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement Current Original
	147A Coiffe Street, San Fernando	M.R. Supermarket Limited	Labour and Cooperatives Sub-Offices	Owner	12,301	26,500.00	3,975.00	1/4/02 1/04/99
	Brierley Street, Sangre Grande	Bharat Sooklal	Cooperatives Division	Owner	1345	2,500.00	-----	1/02/99 1/02/99
	Colsort Mall 11-13 Frederick Street, Port-of-Spain	Colsort Properties Limited	Cooperatives Division (Head Office)	Owner	6,400	25,600.00	3,840	1/10/00 1/10/00
	84 Dundonald Street, Port-of-Spain	Dr S Lee Young	Manpower Unit	Owner	2,333	4,000.00	-----	1/02/98 1/07/78
	3 <sup>rd</sup> Floor, NIB Mall, Scarborough, Tobago	National Insurance Board	Manpower Unit	Owner	960	2,160.00	324.00	

Ministry of Legal Affairs (MLA)

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement Current Original
	32 E Pro Queen Street, Arima	Faizul Baksh	Rent Assessment Board	Owner	1,496	4,500.00	-----	1/02/96 1/07/83

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Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement Current Original
	112 Edward Street, Port-of-Spain	Ronald and Raymond Hadeed	Legal Aid Advisory Authority	Owner	5,369	18,000.00	2,700.50	1/01/00 1/07/83
	77-81 Independence Ave., San Fernando	Birjah Development Co. Limited	Civil Registry	Owner	6,904	21,600.00	3,240.00	5/02/98 1/06/94
	72-74 South Quay, Port-of-Spain	National Insurance Board	Head Office	Owner	40,022	130,072.00	19,511.00	1/11/97 1/11/97
	110 Henry Street, Port-of-Spain	A.A. Laquis Limited	Rent Assessment Board/ Registrar General Department	Owner	5,041	16,600.00	2,490.00	19/04/99 19/04/99

Ministry of Local Government (MLG)

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement Current Original
	Cor. Woodford Street and Hollis Ave., Arima	National Commercial Bank of T&T Ltd.	Arima Borough Corporation	Owner	10,695	14,973.00	2,245.95	1/05/88 1/04/84

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Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement Current	Original
	MTS Plaza, Aranguez Main Road, San Juan	MTS	San Juan/Laventille Regional Corp Secondary Education Modernization Programme (SEMP) Social Development – Mediation Centre	Owner	13,900 5,000 1,480	34,750.00 15,000.00 5,300.00	5,212.50 2,250.00 795.00	1/06/99 1/10/99 1/10/00	1/06/97 1/10/99 1/10/00
	#3 Dookie Street, Penal	Hindu Credit Union	Penal/Debe Regional Corporation	wner	4,996	9,542.00	1,431.30	1/01/99	1/01/99
	Elite & High Streets, Rio Claro	Rann's Agencies Limited	Rio Claro/Mayaro Regional Corporation	Owner	10,807	20,000.00	3,000.00	1/07/01	1/12/94
	Hosein's Building, High Street, Princes Town	Kenneth Hosein	Princes Town Regional Corporation	Owner	16,000	23,200.00	3,480.00	1/01/98	1/01/98
	Cor. Eastern Main Road and Ramdass Street, Sangre Grande	R, Bissram	St. Andrew/St. David Regional Corporation	Owner	6,329	13,000.00	1,950.00	1/09/98	18/04/83

Ministry of National Security and Rehabilitation (MNS&R)

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement	
								Current	Original
	Terminal Building, Port of Scarborough, Tobago	Port Authority of Trinidad and Tobago	Immigration Division (Tobago)	Owner	1850	10,082.00	1,512.30	25/11/99	25/11/99
	8 New Street, Port-of-Spain	Dr. Joseph Hussain	Prisons Division	Owner	1,540	4,500.00	-----	1/09/96	1/02/80
	131 Coffee Street, San Fernando	Gulf View Optical Limited	Immigration Division (South)	Owner	4,665	15,500.00	2,325.00	1/07/98	16/02/81
	67 Frederick Street, Port-of-Spain	Empire Court Limited	Head Office	Owner	24,284	78,000.00	11,700.00	1/01/98	1/02/91
	Cor. Sackville & Richmond Streets, Port-of-Spain	Richmond Holdings Limited	Special Branch	Owner	14,021	50,000.00	7,500.00	1/07/97	1/11/90
	Multi-Producer Unit, Building #2, Piccadilly Street, Port-of-Spain	Property and Industrial Development Co. Limited (PIDCOTT)	Police Station, Besson Street	Owner	23,768	30,000.00	4,500.00	1/08/99	1/08/99
	Corner Queen and Charlotte Streets	N.J. Nahous Investments Ltd	CID	Owner	4,853	10,239.00	1,535.85		1/03/75
	26A South Quay, Port-of-Spain	A.A. Laquis Ltd.	Traffic Branch	Owner	16,069	52,000.00	7,800.00	1/08/98	1/08/98



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Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement	
								Current	Original
	136 Talparo Main Road, Brazil Village, Arima	Mark and Vashtee Hamsraj	San Raphael Police Station	Owner	4,020	5,000.00	-----	1/12/02	1/12/02
	10 1/2 mm Toco Main Road, Matura	Edris Bascombe	Matura Police Station	Owner	1,661	2,300.00	-----	1/09/00	1/09/00
	Tumpuna Road, Cumuto	Joslyn Mark	Cumuto Police Station	Owner	1,178	1,750.00	-----	3/07/00	3/07/00
	Corner New & Abercromby Street, Port of Spain	Harry Rampersad	Prisons Officers Domitories	Owner	3,600	6,000.00	-----	1/07/01	1/07/01
	6 Belmont Circular Road, Belmont	Mr. Earl Lewis	Belmont Police Station	Owner	3,124	10,000.00	-----		
	LP No7/5/ Craig Estate Cedros	Omar Ali	Immigration Division	Owner	-----	3,500.00	-----	10/08/02	10/08/02
	135 Henry Street, Port of Spain	Anthony P. Scott & Company Limited	Immigration Division	Owner	19,015	95,074.80	14,261.22	20/12/02	20/12/02
	10-12 Borda Street Port of Spain	Bilmor Limited	Joint Services Staff College	Owner	10,668	43,000.00	6,450.00	16/09/00	16/09/00

Office of the Ombudsman

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement Current Original
	132 Henry Street, Port-of-Spain	A. E. Hadeed Holdings Limited	Office of the Ombudsman	Owner	9,931	50,648.00	7,597.00	1/09/00 1/09/00
	TATECO Building, Scarborough, Tobago (Ground Floor)	TATECO Credit Union	Office of the Ombudsman	Owner	629	3,616.75	542.51	1/06/00 1/06/00

Parliament

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement Current Original
	Chloe Building 11 Charles Street Port of Spain	Messrs. Chloe Limited	Leader of the Opposition	Owner	5,703	40,500.00	6,075.00	1/02/03 1/02/03
	103D St. Vincent Street Port of Spain	Messrs. H & Z Limited	Leader of the Opposition (Temporary)	Owner	2,170	10,000.00	1,500.00	----- 14/10/02

Personnel Department

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement Current	Commencement Date of Lease/ Rental Agreement Original
	Park Plaza Corner Park and St. Vincent Street, Port of Spain	Park Plaza Limited	Personnel Department (Job Evaluation Project Office)	Owner	4,450	18,525.00	2,778.75	1/03/79	1/08/01
	ABMA Building 55-57 St. Vincent Street, Port of Spain	ABMA Investments Limited	Personnel Department	Owner	14,142	70,710.00	10,606.50	1/02/01	1/01/00

Ministry of Planning and Development (MP&D)

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement Current	Commencement Date of Lease/ Rental Agreement Original
	Palms Club, Pointe-a-Pierre Road, San Fernando	Oilfield Workers Trade Union	Town & Country Planning Division	Owner	8,000	13,600.00	-----		6/11/85
	Corner Park and Pembroke Streets, Port of Spain	W.H. Scott Lands and Investments Limited	Central Statistical Office Census Planning Unit	Owner	11,013	50,000.00	7,500.00	7/12/99	7/12/99

Ministry of Public Administration and Information (MPA&I)

ef.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/Rental Agreement	
								Current	Original
	2 <sup>nd</sup> Avenue, Chaguaramas Warehouse	NIPDEC	National Archives Records Centre	Owner	30,000.00	20,400.00	3,060.00	15/04/91	15/04/91
	95-97 Frederick Street, Port-of-Spain	Accountants Limited	NISC	Owner	10,712	52,400.00	7,860.00	1/11/98	1/11/98
	Lot #29 Trincity Industrial Estate, Trincity	Go Brave Investments Limited	Government Printery	Owner	27,040	37,856.00	5,678.40	1/09/98	1/10/84
	45A-45C St. Vincent Street, Port of Spain	N.J. Nahous Investments Limited	Head Office	Owner	14,219	90,000.00	13,500.00	1/07/00	1/07/00
	20 Abercromby Street, Port-of-Spain	BETA Realty Investment Limited	Public Management Consulting Division	Owner	8,531	26,000.00	3,900.00	18/06/97	18/06/97
	1A Richmond Street, Port of Spain (Anchorage House)	Furness Trinidad Limited	T&T Legion of the British Empire Ex-Services League	Owner	1,200	7,200.00	1,080		1/02/00

Ministry of Public Utilities and the Environment

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement Current	Commencement Date of Lease/ Rental Agreement Original
	16-18 Sackville Street, Port of Spain (Sacred Heart Building)	The Roman Catholic Archbishop of Port of Spain	Head Office	Owner	24,618	45,500.00	6,825.00	1/08/87	1/03/81

Ministry of Science and Technology and Tertiary Education (MST&TE)

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement Current	Commencement Date of Lease/ Rental Agreement Original
	Corner Agra and Patna Streets, St. James	N.J., Nahous Investments	1. Head Office 2. Information Division	Owner	40,934	350,000.00	52,500.00	1/01/01	1/01/01
	119 Henry Street, Port-of-Spain	Agostini Brokers Insurance Co., Limited	Secretariat for Distance Learning Accounting Unit	Owner	4,300	20,000.00	3,000.00	11/05/99	11/05/99

Service Commissions Department

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement Current - Original
	Cyril Duprey Building, St. Vincent Street, Port of Spain	Colonial Life Insurance Company Limited	Service Commissions	Owner	42,218	87,022.00	13,053.30	1/11/91 1/11/88
	81-83 Abercromby Street, Port of Spain	General Building and Loan Association	Service Commissions	Owner	6,590.5	30,000.00	4,500.00	1/10/99 1/10/99

Ministry of Social Development

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement Current - Original
	Ansa McAl Mall Scarborough, Tobago, (2 <sup>nd</sup> Floor)	Ansa McAl	Mediation Centre	Owner	2,000	7,500.00	1125.00	30/09/00 30/09/00
	Lot 19, Southern Main Road, Cunupia	Mrs. Elaine Motlal	Mediation Centre	Owner	1,856	5,000.00	-----	

Ministry of Sport and Youth Affairs (MS&YA)

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement	
								Current	Original
	7 Main Road, Chaguanas	L. Bartholomew	Chaguanas Office	Owner	1,411.2	8,000.00	----	1/12/99	1/12/99
	10-12 Neverson Street, Pt. Fortin	Road Transport Engineering Limited	Point Fortin Office	Owner	2,802	4,550.00	682.50	15/02/01	15/02/01

Ministry of Works and Transport (MW&T)

Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement	
								Current	Original
	#45 Eleanor Street, Chaguanas	Leela Kowlessar	Drainage Division Central	Owner	4,439	10,000.00	-----	1/12/97	1/12/97
	#50 El Socorro Road, San Juan	G V Holdings Limited (Victor Joseph)	St. George West Office, Highways Division	Owner	7,485	23,000.00	3,450.00	21/12/99	21/12/99

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Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement Current	Original
	Cor. Golden Grove Road, and Churchill Roosevelt Highway, Piarco (Grell Taurel Warehouse)	Moonan Warehouse Limited	Building materials for construction of North Stand	Owner	48,400	60,500.00	9,075.00	10/3/00	10/3/00
	Port Authority Administration Building, Dock Road	Port Authority of Trinidad and Tobago	Maintenance Division	Owner	3,075	9,344.96	1,401.74	16/06/02	27/04/94
	ANSA building Queen & Henry Street, Port-of-Spain	ANSA Mc Al Limited	Maritime Services Division	Owner	8,732.5	35,000.00	5,250.00	16/11/00	16/11/00
	89 Abercromby Street, Port-of-Spain	Public Services Association	Civil Aviation Department	Owner	4,270	8,000.00	1,200.00	10/09/82	
	Plaza Espermaria 36 Henry St., POS	G.H.V. Holdings Limited	Project Implementation Unit, Highways Division	Owner	8,000	50,000.00	7,500.00	1/10/01	1/10/01
	235 Iere Village, Princes Town	Messrs Ramlal and James Jaggermath	Licensing Division, Princes Town	Owner	1,226	5,000.00	250.00	1/07/02	1/07/02



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Ref.	Address of Property	Owner	Occupier	Payee	Rented Space Sq. ft.	Current Monthly Rental \$	VAT \$	Commencement Date of Lease/ Rental Agreement Current    Original
	Terminal Building, Port of Scarborough, Tobago	Port Authority of Trinidad and Tobago	Tobago Office of the Maritime Services Division	Owner	516	3,000.00	450.00	

<b>Total No. of Buildings</b>	-	<b>140</b>	
<b>Monthly Rent</b>		<b>Net Amount</b>	<b>Gross Amount</b>
<b>Annual Rent</b>	-	\$6,131,546.53	\$7,011,479.16
		\$73,578,558.36	\$84,137,749.88
			VAT
			\$879,932.63
			\$10,559,191.52