

*Leave of Absence**Tuesday, May 20, 2003***SENATE***Tuesday, May 20, 2003*

The Senate met at 1.30 p.m.

**PRAYERS**[MADAM PRESIDENT *in the Chair*]**LEAVE OF ABSENCE**

**Madam President:** Hon. Senators, I have granted leave of absence from today's sitting to Sen. The Hon. Dr. Lenny Saith.

**SENATOR'S APPOINTMENT**

**Madam President:** Hon. Senators, I have received the following correspondence from his Excellency the President of the Republic of Trinidad and Tobago.

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

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

/s/ G. Richards  
President.

TO: MRS. JOAN HACKSHAW-MARSLIN

WHEREAS Senator Dr. Lenny Saith 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, JOAN HACKSHAW-MARSLIN, to be temporarily a member of the Senate with effect from 20<sup>th</sup> May, 2003 and continuing during the absence from Trinidad and Tobago of the said Senator Dr. Lenny Saith.

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 16<sup>th</sup> day  
of May, 2003.”

**OATH OF ALLEGIANCE**

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

**WRITTEN ANSWERS TO QUESTIONS**

*The following questions were asked by Sen. Carolyn Seepersad-Bachan:*

**Commission of Enquiry  
(Airport Project)**

7. (a) Could the hon. Attorney General provide the following information pertaining to the Commission of Enquiry into the Airport Project:
- (i) Whether a budget was prepared for this commission of enquiry?
  - (ii) If the answer to (i) is in the affirmative could she give the estimated cost and the estimated time that it is likely to last?
- (b) (i) The names, professions, qualifications and amount of moneys paid by the State to each commissioner appointed to this Enquiry up to April 30, 2003?
- (ii) The names and amount of moneys paid to each lawyer retained or employed as counsel to the commission?
  - (iii) The names, professions, qualifications and remuneration paid to date of all personnel employed by the State to provide administrative and support services for this enquiry?
  - (iv) Details of all other costs incurred relating to this enquiry up to April 30, 2003?

**Commission of Enquiry  
(Biche High School)**

8. Could the hon. Attorney General provide the following information pertaining to the Commission of Enquiry into the Biche High School:
- (i) The names, professions, qualifications and amount of moneys paid by the State to each commissioner appointed to this enquiry up to April 30, 2003?
  - (ii) The names and amount of moneys paid to each lawyer retained or employed as counsel to the commission, ministries and state enterprises?

- (iii) The names, professions, qualifications and remuneration paid to all personnel employed by the State to provide administrative and support services for this enquiry?
- (iv) Details of all other related costs incurred by this Enquiry up to April 30, 2003?

**Commission of Enquiry  
(Elections and Boundaries Commission)**

- 9.** Could the hon. Attorney General provide the following information pertaining to the Commission of Enquiry into the Elections and Boundaries Commission (EBC):
- (i) The names, professions, qualifications and amount of moneys paid by the State to each commissioner appointed to this enquiry up to April 30, 2003?
  - (ii) The names and amount of moneys paid to each lawyer retained or employed as counsel to the commission, ministries and state enterprises?
  - (iii) The names, professions, qualifications and remuneration paid to all personnel employed by the State to provide administrative and support services for this Enquiry?
  - (iv) Details of all other related cost incurred by this Enquiry up to April 30, 2003?

**Madam President:** Hon. Senators, I wish to draw to your attention that written replies to questions Nos. 7, 8 and 9 were circulated to you in accordance with Standing Order 16(3).

*Vide end of sitting for written answers.*

**ORAL ANSWERS TO QUESTIONS**

**WASA Properties  
(Sale of)**

- 39. Sen. Wade Mark** asked the hon. Minister of Public Utilities and the Environment:
- A. Could the Minister explain why WASA properties were offered at twenty per cent discount on the properties to the Chief Executive Officer and other new General Managers at WASA when the previous WASA Board took a decision to offer the said properties for sale at auction?

- B. Could the Minister produce the minutes of the Board Meeting where the decision was taken to rescind the previous decision?

**The Minister of Public Utilities and the Environment (Sen. The Hon. Rennie Dumas):** Madam President, the Board of Commissioners of WASA took a decision to sell houses that were occupied by its employees and it happened that of the 16 occupied houses offered for sale, three were occupied by the Chief Executive Officer and two General Managers, at the time of that decision. It is to be noted that only the sale of the house occupied by the General Manager, Operations has been finalized. All other transactions have been discontinued on instructions of the Minister. The sale of WASA houses has been on the agenda of the Board of Commissioners for over four years. WASA has advised that it was unable to effectively maintain its houses over the years because of financial constraints.

At its Five Hundred and Fifty-ninth Meeting, dated January 25, 2001, the Board of Commissioners took a decision to dispose of those houses that were unoccupied, by public auction and those were sold. At its Five Hundred and Sixtieth Meeting, dated February 22, 2001, a further decision was made by the Board of Commissioners to dispose of those houses occupied by its employees, offering the employees the first option to purchase.

The present Board of Commissioners took a decision at its Five Hundred and Seventy-second Meeting of May 14, 2002, inter alia, to dispose of its occupied houses and to offer the occupiers of each house the first option to purchase. A 20 per cent discount on the valuation price of the properties was also given to the occupiers.

There was no rescission of the previous decision, but an amendment. The amendments are available in the minutes of the board. Recorded in the Minutes of the Five Hundred and Seventy-second Ordinary Meeting of the Board of Commissioners of the Water and Sewerage Authority, held at its Head Office, Farm Road, St. Joseph on Thursday, May 14, 2002 at 9.00 a.m. paragraph 572:18, headed "Disposal/Regulation of Quarters" at subparagraph 01 states:

- “The Board, based on a recommendation from the Human Resources Committee and Tenders Committee presented in a Board Note, approved the following on the captioned topic:
- Disposal of twenty-three (23) quarters:
    - Seven were either disposed of or are awaiting finalisation of sale;

- Sixteen are to be sold to occupiers at a 20 per cent discount of the market valuation with the express purpose of each occupier relinquishing his/her right to claim personal investment expenses.”

**Sen. Mark:** Madam President, could the Minister indicate to this Senate what was the basis of his instructions to discontinue the sale of properties to executive management personnel of WASA?

**Sen. The Hon. R. Dumas:** In the face of the absence of a definite, determined policy, it was a decision to ensure that such a policy exists before, or to make sure that any sale follows determined public policy.

**Sen. Mark:** Is the Minister saying that the Board of Commissioners of WASA acted illegally in disposing of state properties to executive managers of WASA before his instructions?

**Sen. The Hon. R. Dumas:** I am saying no such thing, Madam President. In fact, the reply would disclose that every board, for those four years, was in turn considering this matter, but decisions are made at the time they are made. In the face of the absence of determined policy one thought that guidelines should have been in place before such activity proceeded.

**Sen. Mark:** Could the Minister indicate to this Senate whether it is an established practice or policy on the part of the Government, to offer state properties at a 10, 20 or 30 per cent discount to state employees or executive managers of any state corporation?

**Sen. The Hon. R. Dumas:** Madam President, there is no determined policy and therefore, the situation is now that this Government is determined in setting a procedure for determining public policy on this matter.

**Sen. Mark:** Would the Minister not agree with me, having regard to what he has said, that this is a straight case of favouritism, nepotism and cronyism?

**Sen. The Hon. R. Dumas:** Madam President, this Minister is saying no such thing.

**Madam President:** You are so far down, I did not recognize you.

**Sen. R. Montano:** Madam President, I apologize for being so far down but, unfortunately it is extremely—not physically possible, but just difficult to get down there. Through you, Madam President, would the Minister please state whether this 20 per cent discount—that these special employees of WASA are enjoying—going to be taxable in the hands of these employees, because they are getting a serious benefit? Are they going to pay tax on it?

**Sen. The Hon. R. Dumas:** There is no question of anyone enjoying a 20 per cent discount because there is no such continuation of any such action.

**Sen. R. Montano:** I am talking about the chaps who have got it—[*Crosstalk*]

**Madam President:** I am unable to hear what is being said by Sen. R. Montano because of the crosstalk at the front here. Please repeat.

**Sen. R. Montano:** Forgive me for leaning too, Madam, it is kind of difficult standing.

**Madam President:** Sen. Montano, you may sit and ask your question.

**Sen. R. Montano:** Thank you. Would the Minister explain—I am not talking about those in the future; I am talking about those in the past who have got the 20 per cent discount—are they going to be paying tax on it?

**Sen. The Hon. R. Dumas:** One property was disposed of. The public policy on all matters concerning this will be determined by the Government.

**Sen. Mark:** Could the Minister indicate to us a time frame for this policy determination? Secondly, I asked specifically—if you look at my question—whether the Minister could produce to this Senate, the minutes that amended this decision as he said? [*Interruption*] We want it here.

**Sen. The Hon. R. Dumas:** Madam President, I quoted from the board minutes. I read into the records of this Senate what is said in the board minutes. If the Senator wants a copy of the minutes, I do not know how to respond to that at this point in time.

**Sen. Mark:** I have asked for it, for the Parliament, not for me.

**Madam President:** Mr. Minister, is it possible for you to get those minutes according to the question, yes or no?

**Sen. The Hon. R. Dumas:** We have the copies of the minutes. I do not know—yes, it is possible for me to get the minutes.

**Sen. Mark:** But would the Minister be able to produce it to parliamentarians?

**Sen. The Hon. R. Dumas:** Why?

**Sen. Mark:** How do you mean why? This is a serious matter. He said he would be able to produce it; we just want to know when.

**Sen. The Hon. R. Dumas:** You have a quotation from the minutes. [*Crosstalk*]

**Madam President:** Ladies and Gentlemen, could we please move on to question No. 40? I think we have gone long enough on that one question.

**Sen. Mark:** But you have not ruled, Madam President, in terms of when he would be able to produce those minutes.

**Madam President:** Mr. Minister, you said—are you able to get copies of the minutes, yes or no?

**Sen. Mark:** He said yes.

**Sen. The Hon. R. Dumas:** Madam President, I am able to get a copy of the minutes.

**Madam President:** Will you make it available then to the Senator?  
[*Crosstalk*]

**Sen. The Hon. R. Dumas:** There is no problem in making the minutes available to the Senate.

**Madam President:** Could we move on?

**Sen. Mark:** We will get it next week.

**WASA  
(Property Valuations)**

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

Could the Minister provide the Senate with the relevant documentation showing:

- (i) The property valuations of properties sold to the Chief Executive Officer and other General Managers at WASA?
- (ii) The actual purchase price paid by them for the properties?

**The Minister of Public Utilities and the Environment (Sen. The Hon. Rennie Dumas):** Madam President, WASA has advised that none of its properties has been sold to its Chief Executive Officer. Of the 16 properties approved for sale by the Board of Commissioners at its Five Hundred and Seventy-second Meeting of May 14, 2002, sale was finalized for only one property. Its valuation was \$610,000 and the occupier was given first option to purchase. The selling price was \$488,000, which represented a 20 per cent discount on the valuation price. The documentation has been made available to the Clerk of the Senate.

**Sen. Mark:** Could the Minister say which firm conducted the valuation exercise?

**Sen. The Hon. R. Dumas:** The valuation document will have the name of the firm and the individual who did the valuation.

**Sen. Mark:** Through you, could I ask my hon. colleague whether the Commissioner of Valuations was employed or contemplated by WASA in assessing the valuation of the property in question?

**Sen. The Hon. R. Dumas:** I cannot answer that. I am not aware.

**Madam President:** Could we move on, please?

**Sen. Prof. Ramchand:** I just have a supplementary question to the last one, if I may—just to find out about things; out of curiosity and wanting to know how things are done. Why is the first option given to the occupant and why having given him the first option does he get a 20 per cent discount? [*Crosstalk*]

**Sen. The Hon. R. Dumas:** I do not know about practice, but the determination in the particular matter did carry a proviso that there might have been claims that the individual occupying the house may have had and would have given up in exchange for that 20 per cent.

**Madam President:** Could we please move on to question No. 48?

*Vide end of sitting for written part of answer*

**Caroni (1975) Limited  
(VSEP Details)**

**48. Sen. Wade Mark** asked the hon. Minister of Agriculture, Land and Marine Resources:

- i. Could the hon. Minister state in detail the name of the company and its board of directors employed by Caroni (1975) Limited to engage in public relations campaign manifested in a series of paid programmes of advertisements in both the print and electronic media on the Caroni enhanced VSEP package?
- ii. Could the Minister give a detailed breakdown of the exact cost to the taxpayers of Trinidad and Tobago of the public relations programmes on Caroni's VSEP package including advertisements in both the print and electronic media?
- iii. Could the hon. Minister please state whether the public relations contract for the Caroni enhanced VSEP programme was publicly advertised and whether there were public and competitive bidders for the same contract?



- iv. If the contract for the public relations programme was publicly and competitively tendered, could the Minister provide the appropriate information and documentation in support of the bidding process?

**The Minister of Agriculture, Land and Marine Resources (Hon. John Rahael):** Madam President, Caroni (1975) Limited engaged All Media Projects Limited. The board of directors comprises Mrs. Astra DaCosta, Managing Director and Mr. Alfred Aguiton, Executive Chairman.

The cost of the public information programme to Caroni (1975) Limited is as follows:

- A. Media: print—\$818,672.77, radio—\$135,774.81, television—\$203,326.36
- B. Production cost—\$232,142.00
- C. Agency/consultancy fees and charges—\$410,084.10

Caroni (1975) Limited invited tenders from a short list of five firms and awarded a contract, based on the evaluation committee's report in accordance with its tender rules.

The contract for the public relations programme was done by competitive tendering in accordance with the tender rules of Caroni (1975) Limited, from a short listing of five firms. Competitive tenders were invited by letter dated February 10, 2003.

**Sen. Mark:** Could the Minister indicate to this Senate whether there is a conflict of interest between the directors of this firm that he provided information on, on the one hand, and one of the directors of that firm? Mr. Alfred Aguiton is the Communications Consultant to the Prime Minister and he receives \$24,000 a month. I would like to know whether he is of the view that smacks of a conflict of interest.

**Hon. J. Rahael:** Absolutely not, Madam President. Caroni (1975) Limited is the company that awarded the contract with respect to the public relations.

**Sen. Mark:** Is it not a fact that once you are a director of a company and you are working for the State, you should not be actively engaged in these kinds of competitive bidding exercises? Could the Minister say whether that is a new policy on the part of the Government: you can be a director of a company working for the State and at the same time bid in that way?

**Hon. J. Rahael:** Madam President, directors do not engage in the day-to-day activities of a company. The executive and the management of the company would negotiate with the executive company for a contract tendered by anyone. I really do not get the point that the Senator is trying to make. If he is a director of a company and if that company is asked to bid on some project, that does not mean that he has direct relationship with the company that is asking this company to bid.

**Madam President:** Could we move on please?

**Jamaat al Muslimeen  
(Current Debt)**

**69. Sen. Robin Montano** asked the hon. Attorney General:

- A. Could the Minister state what is the current amount of debt (inclusive of cost and interest) owed by the Jamaat al Muslimeen and one hundred and thirteen members in the High Court Action Judgment No. 2292 of 1994/Civil Appeal No. 16 of 2001?
- B. Could the Minister state whether there is a stay of execution to prevent the enforcement of the judgment awarding fifteen million dollars in damages plus interest and cost to the State in the said matter?
- C. If the answer to 'B' is in the negative could the Minister indicate what steps, if any, the Government has taken on behalf of the State to enforce the judgment referred to in 'A' so as to receive moneys owed by the Jamaat al Muslimeen on behalf of the people of Trinidad and Tobago.

**The Attorney General (Sen. The Hon. Glenda Morean):** Madam President, the current amount of the debt, inclusive of interest, as at April 28, 2003 is \$23,831,232.88. The original judgment being for \$15 million.

- B. A stay of execution of 28 days was given by the hon. Mr. Justice Tam on January 15, 2001.
- C. The stay of execution has since expired and there is no stay of execution enforced at this time.
- D. The defendants filed an appeal against the judgment which was dismissed on May 10, 2002.

- E. The sequence of events is as follows:
- (i) The State wrote the defendant's attorney-at-law on record, pursuing payment of the outstanding debt on April 16, 2002 and May 09, 2002.
  - (ii) The State subsequently registered the judgment against the defendants on September 09, 2002: a prerequisite for enforcement.
  - (iii) The Chief State Solicitor has been instructed to pursue all legal options for enforcement that may be available to the State.

**Sen. R. Montano:** Would the Attorney General please state when was the Chief State Solicitor so instructed?

**Sen. The Hon. G. Morean:** I do not remember the date, but it is almost as soon as I took up the position as Attorney General.

**Sen. Mark:** Could the Attorney General indicate to us why the State has taken so long to have this judgment enforced? Secondly, what kind of resources is the Attorney General providing to the Chief State Solicitor's Department in order to facilitate the execution of this court judgment?

**Sen. The Hon. G. Morean:** It is ironic that the Senator would ask such a question since he was in office, part of the administration, for part of the time when this matter was going on [*Desk thumping*] and also, since the first payment of \$1.5 million was made by his administration. [*Desk thumping*] It is ironic that he is asking that.

As far as resources are concerned, the Chief State Solicitor is doing what she can do to ensure that the judgment is enforced in the proper way and effectively. That is as much as I can say at this time.

**Sen. R. Montano:** Madam President, there are a couple of things that do not make sense in the Attorney General's answer and with your leave I would ask if she could explain further. The hon. Attorney General said that the judgment was registered on September 09, 2002—at least that is what I heard sitting out here in the boondocks. She said that she had given instructions to pursue the enforcement of the judgment almost as soon as she became Attorney General. She became Attorney General, if my memory serves me correctly, on December 24, 2001, some nine months earlier. The question is this—what I would like to know, please and I think the country would like to know is—it was on September 09, 2002 that instructions were given. As a former practising attorney, is the Attorney General

well aware that it does not take some nine months, more or less, to seek to enforce a judgment? Nine months have passed since the registration of the judgment. My question was very specific. What steps have you taken and are you taking now? Put it another way; when can the country expect to collect its \$23 million?

**Sen. The Hon. G. Morean:** I cannot answer that. I have answered it as best as I can.

**Sen. Mark:** Could the hon. Attorney General indicate to this Senate whether there is a conspiracy between the Jamaat al Muslimeen and the Government to deny the population of this country their just dues as a result of the attempted coup in 1990? I would like to know whether there is a conspiracy between the PNM and the Jamaat al Muslimeen to deny the citizens of this country the right that they are entitled to: \$23.8 million for destroying the Police Headquarters and of course, other buildings in the country?

**Sen. The Hon. G. Morean:** First of all, Madam President, there is no conspiracy. The judgment was since January 15, 2001. If there was a conspiracy, perhaps it started then, but no conspiracy continued after that. [*Desk thumping*]

**Sen. Mark:** Could the Attorney General indicate to this Senate, from September to present, the Government under her administration has failed—would she not agree that the Government has failed—in the last nine months, to provide the Chief State Solicitor’s office with the necessary resources in order to recover the moneys that are owed to this country by the Jamaat al Muslimeen?

**Sen. The Hon. G. Morean:** Is that a question?

**Sen. Mark:** That is a question to you!

**Sen. The Hon. G. Morean:** I would not agree, no.

**Sen. R. Montano:** Madam President, could the hon. Attorney General please state definitely and without obfuscation, when the country can expect to see the collection of the \$23.8 million?

**Sen. The Hon. G. Morean:** I answered that already.

**Madam President:** Sen. R. Montano, she answered it previously and she said that she was not aware. Can we move on, please? [*Crosstalk*] Order!

**CIVIL AVIATION (AMDT.) BILL**

**Madam President:** I call on the Minister of Works and Transport.

## ARRANGEMENT OF BUSINESS

**Sen. Wade Mark:** Before the Minister of Works and Transport speaks, I just want to bring to your attention, under Standing Order 48(1), that last week we allowed the Government to introduce a Bill which requires 15 days clear notice for us to prepare. We allowed the Government to introduce the Bill, without any objection on the undertaking—the records would show that Sen. The Hon. Dr. Lenny Saith, Leader of Government Business, told the Senate on the adjournment—that we shall continue the debate on the Kidnapping Bill and subsequently, maybe the same evening, we will deal with the Civil Aviation (Amdt.) Bill.

I was only asked this afternoon, around 1.20 p.m., by the Acting Leader of Government Business, whether someone called me. No one called me, so we came here prepared to deal with the Kidnapping Bill. If it is anything, tonight at 11.00 p.m., we can deal with the Civil Aviation (Amdt.) Bill. The Government just cannot give us an undertaking—we cannot trust the Government! The Government's word must be its bond. The Government told this Parliament that we shall continue with the Kidnapping Bill and later deal with the Civil Aviation (Amdt.) Bill. We have come here with disrespect and utter contempt. We cannot proceed that way.

**Madam President:** Sen. The Hon. Yuille-Williams, do you—

I call on the Minister of Works and Transport.

**Sen. W. Mark:** May I enquire? I have sought your intervention and ruling. We are protesting! We would like you to put it to the Senate because what is happening is that we have an undertaking from the Leader of Government Business—you can get the *Hansard*—telling this entire Parliament that we shall be dealing with Bill No. 1, the Kidnapping Bill. That is on the record. *[Interruption]*

**Madam President:** Senator, if I recall the Leader of Government Business said that we would be dealing with two Bills: the Kidnapping Bill and the Civil Aviation (Amdt.) Bill. I do not remember him saying that we will do them in any particular order.

**Sen. W. Mark:** We protest! We do not support the approach that the Government is taking.

**Madam President:** Sen. Mark, you cannot sit in your chair and address the President. Minister—

**Sen. W. Mark:** Can we take a vote on that? I want to take a vote.

**Madam President:** You want to take a vote on whether—[*Crosstalk*]

**Sen. D. Montano:** Stand up and talk to the President! Do not sit and talk! What is wrong with you?

**Sen. W. Mark:** You think you are on the slave plantation? “Who you talking to?”

**Sen. D. Montano:** Are you being racist?

**Sen. W. Mark:** “Yuh think yuh is ah slave master?”

**Madam President:** Sen. Mark!

**Sen. W. Mark:** “Yuh out of place!”

**Sen. D. Montano:** Are you being racist?

**Madam President:** Sen. Mark! I will not have this carrying on in this Senate!

**Sen. W. Mark:** But you did not hear how this man was behaving? He was growling at me!

**Madam President:** Senator Mark!

**Sen. W. Mark:** Sorry Ma’am.

**Madam President:** I am going to suspend this sitting if this continues.

**Sen. W. Mark:** I am not taking that from him.

**Madam President:** As a matter of fact, I think I will suspend this sitting for 10 minutes and we shall return. Madam Clerk, can I see you?

**2.09 p.m.:** *Sitting suspended.*

**2.35 p.m.:** *Sitting resumed.*

**Madam President:** Hon. Senators, it is most unfortunate that the disorderly behaviour of Senators here today called for the suspension of this Senate. I want to point out to you that shouting across the floor and calling other Senators names are not permitted. Also, sitting in your chair while addressing this Chair, is also against the rules of this Senate and will not be taken lightly in future.

I want to also remind Senators that Government regulates its own business. Usually, when Bills are listed, they can be taken in any order by the Government, therefore, the Government is in its right to go with whichever Bill it chooses to so do.

**The Minister of Science, Technology and Tertiary Education (Sen. The Hon. Danny Montano):** Madam President, I would like to apologize to you and to everybody else in the Chamber here for the flagrant breach of the Standing Orders. I do apologize. I will try not to do it again and if my colleague took any offence, I meant none. Thank you. [*Desk thumping*]

**Sen. Dr. Eastlyn McKenzie:** Madam President, I have been in this Senate since 1995 and there are few of my colleagues who have been here since that time. Forgive my voice because I am suffering with a sore throat. Today has been the worst that I have seen and heard in this Chamber. I am not going to dwell on whether the Bill which we decided on was pushed back and another brought forward. Our behaviour degenerated to a very low level this afternoon and it saddens me.

It saddens me because the type of remarks made me think that, in our hearts there is a hate: for people, for each other and a hate that, at times, you cannot reason why it is there. It bothers me that this type of behaviour would go out to the public at large and people will wonder why we have people whom the public is supposed to respect, behaving with each other like this. If we are the people to set examples and make laws and tell people that we must not behave in a barbaric fashion with each other and that despite our disagreements, we can discuss, but in it all, there must be a certain level of respect for each other, then I think today is a sad day.

Honestly, Madam President, I do not know for the others—because I take that type of thing very seriously—but for me, and discussing with some of my colleagues, I am not in a mood to discuss: whether it is the Kidnapping Bill or the Civil Aviation (Amdt.) Bill. I am not sure whether Senators would listen to each other: whatever the contributions, because I think, emotionally, we feel very let down by our own behaviour. I want to suggest in all honesty and earnestness that we adjourn the Senate until we are in a mood and until we have an attitude where we can do the people's business in a respectful way; where people would believe that when we prepare and we come here, we have come to listen and to make the best possible result come out of our deliberations.

I am not sure whether I would be supported in my suggestion, but I am a very sad person. I am not angry, I am sad because I think today the behaviour was unnecessary. I think we can do better than that. I know we can do better than that. I think we need to apologize not only to each other, but to the entire public: the community of Trinidad and Tobago, that the people to whom they look for respect, love, give and take and seriousness could behave like this. I wonder what we say when we cannot sit and reason, dialogue and contribute in a civil way. What could we say on the Kidnapping Bill to kidnappers?

Madam President, I am suggesting—I know that I cannot move a motion at this stage—that the Senate be adjourned. I think, in all fairness to ourselves and to me personally, I feel that we should adjourn the Senate. I want to suggest—I might be out of order, but at this stage, if I am out of order in a respectful way I think we can tolerate that than being out of order in a disrespectful way—that we sit together, at some stage, and listen to people who have been here before, discuss with us and talk to us on how we can disagree with each other and yet keep the decorum of this Senate intact.

My suggestions are that we adjourn and secondly, we find the resource: from the public or amongst those who have gone before us, to talk with us as Senators, as to how we can make the best use of the time we spend here, to see about the public's business. Madam President, this is what I have to say. [*Desk thumping*]

**Sen. Robin Montano:** Madam President, would you be offended if I sat while I spoke?

**Madam President:** You are the only one in the Chamber here today that I will allow to sit and speak.

**Sen. R. Montano:** To a large extent, I speak now as a citizen of Trinidad and Tobago and as a Senator. To a large extent I agree with what my friend Sen. Dr. McKenzie has said. I would say to this honourable Senate and to my friends of both sides that we do not all enjoy eye-opening experiences; some of us indeed find it intrusive and uncomfortable. With our eyes tightly shut, we can see whatever we want to see. Even when they are half-open we can superimpose our expectation unto reality. None of this is possible though when life is obliging us to really recognize reality.

There has been division and divisiveness in this country for too long. I am not, this afternoon, going to cast stones; although I will cast some tonight, tomorrow and the day after, if it becomes necessary. I would like to say to my friend on the other side and to the country, if you would allow me, that perhaps what took place in the Senate this afternoon was a good thing because it is demonstrating to both sides, that what we have are our eyes tightly closed and that what we need to do is that we need—all of us; both sides—to take two, three, or even ten steps back and take a deep breath. Understand this, we are all in this together. Trinidad and Tobago sinks or swims on our backs. The Government, whether we like it or not, is our government. The Opposition, whether we like it or not, is our opposition. The people who sit opposite me are not our enemies. [*Desk thumping*] The people who sit on this side are not their enemies. [*Desk thumping*] We are all in this together.



Like my friend Sen. Dr. McKenzie, I do not have the right to call for an adjournment of the Senate, I think that if I could, I would and I would say to this honourable Senate: you know what, let us take three or ten steps back. As Sen. Dr. McKenzie said: in the divisions that would come with the Kidnapping Bill—whether we debate it at 10.00 p.m. or 5.00 p.m., or at any time—I for one have some very serious criticisms of that Bill which I want to raise and I would like my comments to be heard in an atmosphere of calm. I would like my criticisms to be heard for what they are: the cry of a man who would like to speak as a patriot. I oppose the Bill and I would like to give the country the reasons why I genuinely oppose the Bill. I hold an honest view. I would like the other side to hear my view and not just stand and stay: Oh there he goes, UNC talking again, no. We hold our views honestly. I think Sen. Dr. McKenzie's point is a valid one. If I could, I would join with her, if I am so allowed.

I would like to say to all of my friends here and to the country, it is time that we stop seeing each other as enemies. It is time we recognize that we are all citizens. Speaking as a proud citizen of Trinidad and Tobago, I would like to close by saying I love my country. Thank you. [*Desk thumping*]

**Madam President:** Hon. Senators, I join with the sentiments expressed by Sen. Dr. McKenzie today. I feel her sadness and her disappointment at what went on here today. I did not hear the remarks that were made after I left, but I understand that they were most uncomplimentary to anybody in this Senate. It is most unfortunate that Senators should have reached this stage where they needed to say those kinds of things to other Senators. Sen. D. Montano, I accept your apology, and I hope that it does not happen again.

Acting Leader of Government Business, I think you wanted to say something.

**2.50 p.m.**

#### ADJOURNMENT

**The Minister of Community Development and Gender Affairs (Sen. The Hon. Joan Yuille-Williams):** Madam President, we too, on this side, wish to support the sentiments expressed by the Leader of the Independent Bench, and those expressed by Sen. D. Montano.

The Civil Aviation Bill, which we were about to debate is very, very, important to us at this time, but we feel that maintaining the dignity of the Parliament is just as important. If taking the suggestions made this afternoon means that we would have a better Parliament; that we would have a better picture to show to Trinidad and Tobago; and that parliamentarians could feel proud of themselves and give you the support that you need in this Senate, Madam

*Adjournment*

*Tuesday, May 20, 2003*

[SEN. THE HON. J. YUILLE-WILLIAMS]

President, then the circumstance on this side of the House, after agreement, is that we move that the Senate be adjourned to Tuesday, May 27, 2003, which is Private Members' Day. I have asked the Leader of the Independent Bench, if she would give way so that we could continue the debate on the Civil Aviation (Amdt.) Bill, and then continue the debate on the Kidnapping Bill. Thank you. [*Desk thumping*]

*Question put and agreed to.*

*Senate adjourned accordingly.*

*Adjourned at 2.53 p.m.*

**WRITTEN ANSWERS TO QUESTIONS  
Commission of Enquiry  
(Airport Project)**

- 7. Sen. Carolyn Seepersad-Bachan** asked the Attorney General:
- (a) Could the Minister provide the following information pertaining to the Commission of Enquiry into the Airport Project:
    - (i) Whether a budget was prepared for this Commission of Enquiry?
    - (ii) If the answer to (i) is in the affirmative could she give the estimated cost and the estimated time that it is likely to last?
  - (b)
    - (i) The names, professions, qualifications and amount of monies paid by the said to each commissioner appointed to this enquiry up to April 30, 2003?
    - (ii) The names and amount of monies paid to each lawyer retained or employed as counsel to the commission?
    - (iii) The names, professions, qualifications and remuneration paid to date of all personnel employed by the State to provide administrative and support services for this enquiry?
    - (v) Details of all other costs incurred relating to this enquiry up to April 30, 2003?

**The Attorney General (Sen. The Hon. Glenda Morean):** The Commission of Enquiry into the Piarco Airport Development Project was appointed by His Excellency the President on April 22, 2002. It has not been the practice to prepare budgets for Commissions of Enquiry, accordingly the answer to part A (i) is no and therefore the question at part A (ii) does not arise.

B. (i) This Commission of Enquiry is comprised as follows and ex gratia payments have been made to the Commissioners as indicated:

Mr. Justice Clinton Bernard, T.C., S.C., Retired Chief Justice	Chairman	\$700,000.00 (net of tax)
Ms. Marie Ange Knights, Chartered Accountant and retired Assistant Auditor General	Commissioner	\$335,000.00
Mr. Keith Sirju, Chartered Engineer and Lecturer in Structural Analysis and Design	Commissioner	\$335,000.00
Mr. Victor Hart, Retired Chartered Quantity Surveyor and Project Manager	Commissioner	\$335,000.00
Mr. Peter Bynoe, HBM (Gold), Chartered Consulting Architect and former Chief Architect	Commissioner	\$335,000.00

(ii) Counsel to the Commission of Enquiry are Mr. Theodore Guerra, S.C., Mr. Clive Phelps, Sr., Mr. Clive Phelps Jr. and Ms. Margaret Rose. Fees paid up to 5.5.2003 are as follows:

	\$
Mr. Clive Phelps Sr.	- 350,000.00
Mr. Clive Phelps Jr.	- 257,000.00
Mr. Theodore Guerra	- 435,000.00
Ms. Margaret Rose	- 245,000.00
Mr. Theodore Guerra & M. Rose (refreshers)	- 630,000.00
C. Phelps & J. Phelps (refreshers)	- 604,500.00

(iii) In response to part B (iii), the Honourable House is informed that professional support services have been provided to the Commission of enquiry as follows:

	\$
Mr. Bernard Aquing, ACII for accounting services	- 20,000.00
Mr. K.M. Skinner for quantity surveying services	- 23,975.00

- (iv) According to the records of the Office of the Prime Minister and the Ministry of the Attorney General, the details of all other costs incurred related to this Enquiry as at 5.5.2003 are as follows:

	\$
Janitorial Services	- 49,634.14
Meals	- 25,823.40
Transport	- 2,621.00
Advertisement	- 36,503.81
Overtime	- 2,184.13
TSTT Internet services	- 24,625.00
Equipment	- 91,045.28
Appearance of witnesses (airfare/accommodation)	- 65,112.80
CAT Reporting/Palantyping	- 114,775.12
Miscellaneous expenses	- 190,197.91
National Broadcasting Network	- 186,875.00

**Commission of Enquiry  
(Biche High School)**

- 8. Sen. Carolyn Seepersad-Bachan** asked the Attorney General:

Could the Minister provide the following information pertaining to the Commission of Enquiry into the Biche High School:

- (i) The names, professions, qualifications and amount of monies paid by the State to each commissioner appointed to this enquiry up to April 30, 2003?
- (ii) The names and amount of monies paid to each lawyer retained or employed as counsel to the commission, ministries and state enterprises?
- (iii) The names, professions, qualifications and remuneration paid to all personnel employed by the State to provide administrative and support services for this enquiry?
- (iv) Details of all other related costs incurred by this enquiry up to April 30, 2003?

**The Attorney General (Sen. The Hon. Glenda Morean):**

- (i) The Commission of Enquiry into the Construction of the Biche High School on the present site was appointed by His Excellency the President on April 2, 2002. The Commission submitted its report to His Excellency the President by letter dated September 16, 2002. Madame Justice Annestine Sealey (retired), Principal of the Hugh Wooding Law School was the sole Commissioner. An ex gratia award of \$125,000.00 was made to the sole Commissioner.
- (ii) Counsel to the Commission of Enquiry were Mr. Andre de Vignes, Attorney-at-Law and Mr. Ian Benjamin, Attorney-at-Law. Counsel for the State were Mr. Gilbert Petersen, Attorney at Law and Ms. Pamela Elder, Attorney-at-Law. Mr. Keith Scotland, Attorney-at-Law and Mr. Rajmanal Joseph, Attorney-at-Law represented officers in the Ministry of Education. Ms. Judith Jones, Attorney at Law and the firm Alexander Jeremie and Company represented the National Maintenance Training and Security Company Limited (MTS). The fees paid were as follows:
- |                              | \$         |
|------------------------------|------------|
| Mr. Andre de Vignes          | 422,625.00 |
| Mr. Ian Benjamin             | 281,750.00 |
| Mr. Gilbert Petersen         | 294,000.00 |
| Ms. Pamela Elder             | 330,000.00 |
| Alexander Jeremie & Co. Ltd. | 236,700.00 |
| Ms. Judith Jones             | 190,000.00 |
| Mr. Keith Scotland           | 115,000.00 |
| Mr. Rajmanal Joseph          | 48,000.00  |
- (iii) The persons named hereunder were employed to provide support services to the Commission of Enquiry and were paid a total of \$40,000.00.
- |                     |   |              |
|---------------------|---|--------------|
| Claudette Roberts   | - | Maid         |
| Cathy Ann Phillips  | - | Stenographer |
| Mary Ditzen         | - | Stenographer |
| Lawrence Mc Eachnie | - | Messenger    |
- (iv) According to the records of the Office of the Prime Minister and the Ministry of the Attorney General, the details of all other related costs are as follows:

		\$
Special Duty/Overtime Allowances	-	26,230.46
Packing and Transportation of Documents	-	920.00
Photographs	-	833.60
Transport	-	4,173.00
Stationery and Office Equipment	-	40,983.84
Photocopying	-	29,458.68
Advertisements	-	14,482.41
Binding services	-	700.00
Salary and Services rendered	-	17,274.24
Telephone Services	-	3,289.00
Meals	-	6,529.69
Groceries	-	2,656.81
Miscellaneous Expenses	-	24,474.49

**Commission of Enquiry  
(Elections and Boundaries Commission)**

- 9. Sen. Carolyn Seepersad-Bachan** asked the Attorney General:  
Could the Minister provide the following information pertaining to the Commission of Enquiry into the Elections and Boundaries Commission (EBC):
- (i) The names, professions, qualifications and amount of monies paid by the State to each commissioner appointed to this enquiry up to April 30, 2003?
  - (ii) The names and amount of monies paid to each lawyer retained or employed as counsel to the commission, ministries and state Enterprises?
  - (iii) The names, professions, qualifications and remuneration paid to all personnel employed by the State to provide administrative and support services for this Enquiry?
  - (iv) Details of all other related costs incurred by this Enquiry up to April 30, 2003?

**The Attorney General (Sen. The Hon. Glenda Morean):**

- (i) The Commission of Enquiry into the functioning of the Elections and Boundaries Commission for Trinidad and Tobago was appointed by His Excellency the President on January 29, 2002. The Commission of Enquiry submitted its report to His Excellency on May 31, 2002. This Commission of Enquiry was comprised as follows and ex gratia awards were made to Commissioners as indicated:

Mr. Justice Lennox Deyalsingh (Retired)	Chairman	\$295,000.00 (net of tax)
Mr. Kyron Arthur, Retired Assistant Commissioner of Police	Commissioner	\$150,000.00 (net of tax)
Dr. Noel Kalicharan, Senior Lecturer in Computer Sciences, University of the West Indies, St. Augustine	Commissioner	\$150,000.00 (net of tax)
Professor Karl Theodore, Head of Economics Department, Faculty of Social Studies, U.W.I., St. Augustine	Commissioner	\$150,000.00 (net of tax)
Mrs. Myrtle Palacio, Chief Election Officer, Belize	Commissioner	\$150,000.00 (net of tax)

- (ii) Counsel to the Commission of Enquiry were Mr. Trevor Lee, S.C. and Mr. Douglas L. Mendes. Counsel for the Election and Boundaries Commission were Mr. Russell Martineau, S.C. and Ms. Deborah Peake. The fees paid were as follows:

		\$
Mr. Trevor Lee, S.C.	-	519,000.00
Mr. Douglas Mendes	-	238,000.00
Mr. Russell Martineau, S.C.	-	627,900.00
Ms. Deborah Peake	-	418,600.00

- (iii) The persons named hereunder were employed to provide support services to the Commission of Enquiry and were paid a total of \$24,428.56:

Mr. Eduardo Martinez, Attorney at Law (for taking submissions from the Public)	-	\$5,000.00
Ms. Lorena Francis, Research Assistant	-	\$6,400.00
Ms. Abigail Dean, Research Assistant	-	\$6,514.28

Mr. Wesley George, Research Assistant - \$6,514.28

- (iii) According to the records of the Office of the Prime Minister and the Ministry of the Attorney General, the details of all other related costs are as follows:

Meals	\$12,563.30
Advertisement	\$27,287.40
Rental and servicing of Copier	\$23,371.45
M.T.S Janitorial	\$21,142.35
Furniture and Equipment	\$23,503.74
Supplies and Stationery	\$17,630.80
TSTT Services	\$11,747.24
Myrtle Palacio-Return airfare (Belize/Trinidad)	\$51,957.99
Accommodation & meals at Crowne Plaza (M. Palacio)	6,528.70
Rental of Auditorium	1,000.00
Miscellaneous Expenses	8,744.93

**WASA**

**(Property Valuations)**

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

- 40.** Could the hon. Minister of Public Administration and Information provide the Senate with the relevant documentation showing:
- (i) The property valuations of properties sold to the Chief Executive Officer and other General Managers at WASA?
  - (ii) The actual purchase price paid by them for the properties?

*Pursuant to his reply to question No. 40 earlier in the proceedings, the Minister of Public Administration and Information (Sen. The Hon. Rennie Dumas) caused to be circulated to Members of the Senate the following:—*





OUR REF: OHD/01/062567

JUNE 20, 2001

## **REPORT AND VALUATION**

**RAPSEY STREET, ST. CLAIR.**



#### AUTHORITY

We have been instructed to prepare a Valuation Report for a Property situate at Rapsey Street, St. Clair, for Sale Purposes.

Our instructions come from Mr. Everton Crick, Building & Premises Controller, Water & Sewerage Authority, Farm Road, St. Joseph.

#### CERTIFICATE

The Subject Property was inspected on Friday 15<sup>th</sup> June, 2001 for the purpose of preparing this Report.

#### PARTICULARS OF SUBJECT PROPERTY

##### **LOCATION**

The Subject Property is situate approximately 100 yards north off Rapsey Street on the western bank of the Maraval River.

##### **DESCRIPTION LAND**

Area : 18,000 sq. ft.  
 Frontage : 20 ft. driveway  
 Shape : Rectangular  
 Topography : Flat  
 Drainage : Good  
 Use : Residential

##### **BUILDING**

##### **TYPE**

A family dwelling house on concrete base wall.

**BLDG. 28**  
**FRG. 2**

**RAPSEY STREET**  
**ST. CLAIR**



**FLOOR AREA**

2283 sq. ft

**ACCOMMODATION**

Porch, Living room, Dining room, Family room, Kitchen,  
Three (3) bedrooms, Bathroom and Maid's quarters.

**CONDITION**

Fairly well-maintained.

**CONSTRUCTION**

**ROOF**

Corrugated galvanized iron sheets on pitched timber  
rafters.

**CEILING**

Celotex sheets, butt-jointed onto nailers.

**WALLS**

Hollow blockwork, rendered and painted .

**WINDOWS**

Adjustable glass louvres.

**DOORS**

Solid timber panel, hollow-core flush and battened timber.

**FLOORS**

Concrete slab, P.V.C. tiled.

Page 2RAPSEY STREET  
ST. CLAIR**FOUNDATION**

Assumed adequate for super-structure.

**BUILT-INS**

Kitchen : Varnished timber cupboards with laminated worktop and doors.

Bedroom : Varnished timber clothes closets.

**CONDITION**

Structural : Apparently sound.

Decorative : Fairly poor

**SERVICES****WATER**

Hot and cold service plumbing.

**ELECTRICITY**

Semi-conduit wiring.

**SEWERAGE**

Septic tank and soakaway.

**TELEPHONE**

Service available.

**AIR-CONDITIONING**

Window unit in bedrooms.

**TENURE**

Freehold (Assumed).

BLDG 28  
PARCE

RAPSEY STREET  
ST. CLAIR



**LOCALITY** Part of the Water and Sewerage Authority compound abuts Federation Park, an upper-income residential area.

**COMMENT** The timbers are termite infested and the roof covering is in poor condition. Access is through the Water and Sewerage Authority operational compound and may need to be changed (to the western boundary) if the residential component passes into private hands.

**VALUATION** Having considered all the relevant factors known to us at this time, we value the Unencumbered Freehold Interest in the Subject Property at the following:

MARKET VALUE

SIX HUNDRED AND TEN THOUSAND DOLLARS  
(\$610,000).

APPORTIONMENT OF MARKET VALUE

Land	:	\$395,000
Building	:	\$215,000

*Thompson*  
For and on behalf of  
MERVYN C. THOMPSON - A.R.I.C.S.

THIS REPORT IS PRIVATE AND CONFIDENTIAL AND IS INTENDED  
SOLELY FOR USE BY THE PERSON(S) TO WHOM IT IS ADDRESSED AND  
FOR THE SOLE PURPOSE STATED HEREIN.

JUNE 2001