

Leave of Absence

Tuesday, October 31, 2006

SENATE

Tuesday, October 31, 2006

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, Sen. The Hon. Howard Chin Lee and Sen. Prof. Ramesh Deosaran who are all out of the country.

I have also granted leave to Sen. Basharat Ali from today's sitting due to illness.

SENATORS' APPOINTMENT

Madam President: Hon. Senators, I have received the following correspondence from Her Excellency Dr. Linda Savitri Baboolal, Acting President of the Republic of Trinidad Tobago:

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By Her Excellency, DR. LINDA SAVITRI
BABOOLAL Acting President and
Commander-in-Chief of the Republic of
Trinidad and Tobago.

/s/ L. Baboolal
Acting 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, LINDA SAVITRI BABOOLAL, Acting 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 23rd October, 2006 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 19th day of October, 2006.”

Senators' Appointment
[MADAM PRESIDENT]

Tuesday, October 31, 2006

“TO: MRS. MAGNA WILLIAMS-SMITH

WHEREAS Senator Howard Chin Lee is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, LINDA SAVITRI BABOOLAL, Acting 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 31st October, 2006 and continuing during the absence from Trinidad and Tobago of the said Senator Howard Chin Lee.

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 27th day of October, 2006.”

“TO: MR. WALTON FRANCIS JAMES

WHEREAS Senator Professor Ramesh Deosaran is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, LINDA SAVITRI BABOOLAL, Acting President as aforesaid, in exercise of the power vested in me by section 40(2)(c) and section 44 of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, WALTON FRANCIS JAMES, to be temporarily a member of the Senate, with effect from 31st October, 2006 and continuing during the absence from Trinidad and Tobago of the said Senator Professor Ramesh Deosaran.

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 26th day of October, 2006.”

OATH OF ALLEGIANCE

The following Senators took and subscribed the Oath of Allegiance as required by law:

Magna Williams-Smith, Joan Hackshaw-Marslin, Walton Francis James.

PAPERS LAID

1. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Mayaro Civic Centre for the year ended September 30, 2002. [*The Minister in the Ministry of Finance (Sen. The Hon. Conrad Enill)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Mayaro Civic Centre for the year ended September 30, 2003. [*Sen. The Hon. C. Enill*]
3. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Mayaro Civic Centre for the year ended September 30, 2004. [*Sen. The Hon. C. Enill*]
4. The Annual Report of the Teaching Service Commission for the year 2005. [*The Minister of Community Development, Culture and Gender Affairs (Sen. The Hon. Joan Yuille-Williams)*]
5. The Annual Report of the Ministry of Public Administration and Information for the year 2005. [*Sen. The Hon. J. Yuille-Williams*]
6. The Civil Aviation [(No.1) General Application and Personnel Licensing] (Amendment) (No.2) Regulations, 2006. [*Sen. The Hon. J. Yuille-Williams*]
7. The Civil Aviation [(No.2) Operations] (Amendment) (No. 2) Regulations, 2006. [*Sen. The Hon. J. Yuille-Williams*]
8. The Civil Aviation [(No.3) Air Operator Certification and Administration] (Amendment) (No.2) Regulations, 2006. [*Sen. The Hon. J. Yuille-Williams*]
9. The Civil Aviation [(No.5) Airworthiness] (Amendment) (No.2) Regulations, 2006. [*Sen. The Hon. J. Yuille-Williams*]
10. The Civil Aviation [(No.6) Approved Maintenance Organization] (Amendment) Regulations, 2006. [*Sen. The Hon. J. Yuille-Williams*]
11. The Civil Aviation [(No.7) Instruments and Equipment] (Amendment) (No. 2) Regulations, 2006. [*Sen. The Hon. J. Yuille-Williams*]
12. The Civil Aviation [(No. 9) Approved Training Organization] (Amendment) (No. 2) Regulations, 2006. [*Sen. The Hon. J. Yuille-Williams*]

13. The Civil Aviation [(No. 10) Foreign Operator] (Amendment) Regulations, 2006. [*Sen. The Hon. J. Yuille-Williams*]
14. The Civil Aviation [(No. 11) Aerial Work] (Amendment) (No. 2) Regulations, 2006. [*Sen. The Hon. J. Yuille-Williams*]
15. The Civil Aviation [(No. 12) Aerodrome Licensing] (Amendment) Regulations, 2006. [*Sen. The Hon. J. Yuille-Williams*]

Statutory Instruments Committee

The Minister of Community Development, Culture and Gender Affairs (Sen. The Hon. Joan Yuille-Williams): Madam President, may I also advise that the Statutory Instruments Committee considered the regulations and found that there was nothing to which the attention of the Senate should specifically be drawn.

The minutes of the Committee were circulated to the Members.

MISCELLANEOUS PROVISIONS (MINIMUM AGE FOR ADMISSION TO EMPLOYMENT) BILL

Bill to amend the law relating to the minimum age for admission to employment in Trinidad and Tobago [*The Minister of Labour, Small and Micro Enterprise Development*]; read the first time.

ACCREDITATION COUNCIL OF TRINIDAD AND TOBAGO (AMDT.) BILL

Bill to amend the Accreditation Council of Trinidad and Tobago, 2004. [*The Minister of Science, Technology and Tertiary Education*]; read the first time.

ICC CRICKET WORLD CUP WEST INDIES 2007 BILL

Bill to make provision for the efficient and effective staging of ICC Cricket World Cup West Indies 2007 and for related purposes [*The Minister of Sport and Youth Affairs*]; read the first time.

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

Question proposed.

The Minister of Community Development Culture and Gender Affairs (Sen. The Hon. Joan Yuille-Williams): Madam President, as the acting Leader of Government Business here this evening, I sincerely apologize to hon. Senators for the legislation which we are going to debate before this Senate.

Madam President, as you are well aware, last week there were two other pieces of legislation that we had asked Senators to prepare for today. However, as you would notice the legislation that we are going to be debating this evening becomes due on November 01 and, therefore, we are asking that the honourable Senate be as considerate as possible and allow the legislation to be passed.

I thank those hon. Senators whom I had communicated with over the last few days for their understanding. I know that the hon. Minister of Sport and Youth Affairs spoke with the Leader of the Opposition, and I am hoping that by the end of today's proceedings that we will have the full support of all Members of the Senate on a Bill which I consider to be of national importance.

I am well aware that the Senate does not appreciate Bills being brought in this form, but this is one of those occasions we sincerely apologize for having to do it. But, at this stage there is nothing we can do. It becomes due on November 01. Even this evening, we would like us to be able to go through this Bill as quickly as we can so that the Clerk will be able to have it prepared and that the other place can debate it tomorrow because it has to be assented to before midnight tomorrow. So again let me apologize to this honourable Senate, and I look forward to the support for this legislation.

Sen. Wade Mark: Madam President, we have noted the Minister's apology. Madam President, it is not the first time, it is not the second time. The Minister is quite aware that CARICOM had given approval for this legislation since April of 2006. And six months later, and as the hon. Acting Leader of Government Business indicated when we last met, we were informed as to what area we were going to focus on today.

I think it has become a bit too routine that this Senate is treated with contempt and disrespect because of administrative inefficiency and bungling on the part of the PNM administration.

Madam President, I would like to propose, through you, a possible solution for the Minister's consideration. It is a voluminous document, about 48 clauses. I got mine late on Friday evening; a number of my colleagues received theirs only yesterday during the Youth Parliamentary debate. I understand that some of our colleagues on the Independent Benches received theirs only today. So, there is a situation where we are being called upon to speak to and deliberate on a matter as lengthy as what is before us, and we have not had the time to deal with it sufficiently.

Madam President, therefore, through you, I propose to the hon. Minister of Sport and Youth Affairs, that we would support his presentation this afternoon. The hon. Minister can table it, he can present his arguments and allow this Senate an opportunity to look at the presentation, and if we have to meet on Thursday or on Friday, we will come back and deliberate on this matter. But we feel it is a compromise that we are proposing to the Minister and the acting Leader of Government Business for consideration. The hon. Minister can present, we will consider his presentation, we will get a chance to look at it in detail, we will continue to study the measures, and subsequently, we can come back here either Thursday or Friday, Madam President.

Sen. Dr. Eastlyn Mc Kenzie: Thank you very much, Madam President. Madam President, I too would like to—I do not want to say pelt two cuffs at the hon. Minister of Sport and Youth Affairs but to let him know that personally I am not satisfied with his late submission of this Bill for debate.

I cannot understand it. I think he must have been mixed up somewhere with the date because, for someone who has actually played cricket—I actually asked him whether he even played with coconut bat and lime and he said yes. I really cannot ascribe it to a sort of insensitivity. I think something must have gone wrong and he must have gotten the dates mixed up. I also noted in the newspapers on Friday that some countries have passed legislation and there are about four of us that have not yet passed the legislation. In fact, Guyana is doing theirs at this moment, today, and others are trying to meet the deadline.

I also did some research and I understand that if we did not pass it by a date today, we are going to be fined. I know in the past a country was fined, I think it was South Africa, for that type of thing and they are still repaying their debt and I know that if we did not do what we are supposed to do by November 01, we would be fined, I think, \$5 million or \$6 million.

I have done my little homework and although I am very annoyed and disappointed with the hon. Minister, in the interest of the young people who are going to play the sport, I will agree to our debating the Bill today, but I want to give and take.

I am saying to the Government yes, I personally will support, I will engage in the debate if I have to, if I think that the hon. Minister did not give enough information.

I remember chastizing the Government with the Local Government Bill when I said, do not wait for the last minute. But, as I said, I think the hon. Minister of Sport and Youth Affairs must have been daydreaming.

Madam President, my exchange—I do not know if I have the authority to speak on behalf of my colleagues as chairmen, of the Joint Select Committees, because they have been having a hard time. At times they are being pressured by the Government not supporting them with a quorum, and I know that last week they should have had a quorum [*Desk thumping*—I cannot remember if it was Sen. King’s or Sen. Anmolsingh-Mahabir’s committee and the Government plans to increase the quorum from four to seven. So could I pledge that we are going to debate the Bill and then we are asking you to compromise and leave our quorum as it is because it is already difficult to get the number. [*Desk thumping*] If it has happened before and you are asking for our co-operation, it might happen again. There is a saying in Tobago, which I cannot say in the Senate, it is not one day a man wants. So, therefore, I am saying to you, we support you this time, “do not increase the number of people on our quorum”.

Madam President, in all seriousness—I am serious about that and I saying to the hon. Minister of Sport and Youth Affairs, personally, I think you must have had some dates mixed up. I have never heard of you being inefficient, ineffective or insensitive. I hope you will come clean and tell us whether you were daydreaming about the budget or what was happening to you. That is my take on it. We will engage in the debate.

Sen. Yuille-Williams: Madam President, before the hon. Minister makes his presentation, let me say thanks again to Sen. Dr. Eastlyn Mc Kenzie. I have listened to what she has said and I will take her suggestion to the correct quarters.

Sen. Wade Mark, no offence was meant. I know you are disappointed because you have said that several times. I cannot give any pledges as to what will happen in the future, but this is something in the national interest and I am hoping that you will overcome your hurt and pain and give this Bill your fullest support.

Let me say how very sorry I am to lay this Bill in the manner in which it was done. Thank you.

Sen. Dr. Tim Gopeesingh: Madam President, I know it is not a debate but I had spoken last night—it is an important issue that has to be considered in the Senate—to a senior official of the ICC World Cup 2007 governing body and I indicated to the individual who is responsible for ICC World Cup, 2007. He indicated that it is not necessary to complete the Bill by November 01, but it can have a leeway, plus/minus two days.

ICC Cricket World Cup 2007 Bill
[SEN. DR. GOPEESINGH]

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I support my Leader of the Opposition in the Senate to indicate that we move to debate this Bill on Thursday or Friday, because the time given to us is insufficient and, therefore, we cannot comprehensively deal with a 45-clause piece of legislation, when we have had it only two days.

Madam President: Hon. Senators, I will put the question and you will decide.

Question put and agreed to.

The Minister of Sport and Youth Affairs (Hon. Roger Boynes): Madam President, allow me to thank this honourable Chamber and all Senators here for granting leave for us to proceed with this very important Bill.

Let me indicate immediately that on this matter I would like to join with the Leader on our side for formally putting on the record of this Senate my humblest apologies for not having this matter placed on the agenda in a timely manner.

The point that was raised by Sen. Dr. Gopeesingh, I wish to address. Today I spoke with a senior person from the ICC and it is, in fact, without a doubt that the date is enshrined, it is in the Host Venue Agreement (HVA) so much so legally, that we are bound by that. I spoke with them today in order to be able to give the correct information. I needed to make sure that we are very accurate and he indicated same to me.

Let me also indicate, and when I get into my deliberations I will perhaps, even reach that stage, but first of all, I beg to move that a Bill entitled, "An Act to make provision for the efficient and effective staging of ICC Cricket World Cup West Indies 2007 and for related purposes" be now read a second time.

Madam President and Senators, with respect to this particular matter, the Bill was, in fact, sent to the Parliament sometime ago. Same was held because the Parliament was going to be prorogued. But the reason this matter has not been tabled in a timely manner solely rests at my feet, and I without any doubt, formally apologize to this honourable Senate.

In 1997, the Caricom Heads as Sen. Mark mentioned a while ago, gave authorization to the West Indies Cricket Board to bid for Cricket World Cup. In 1998, the West Indies Cricket Board submitted its bid and was successful and so advised and reported this to the Caricom Heads in Grenada in 1998. In November 2002, Madam President, the West Indies Cricket Board signed the host agreement which laid the terms and conditions for the hosting of this very historic event, and those terms and conditions refer to a number of things that I will explain further in my submissions, but it dealt further with the commercial rights of the sponsors, with security, stadium guidelines, if one is to host a major event of the nature.

Madam President, for the first time in the history of the world an event of this magnitude will be held in nine countries. In February 2004, the bid process commenced. All obligations under the host agreement that was signed between the West Indies Cricket Board (WICB) and the ICC were put into a document called a 'bid book' so that all the countries would have an opportunity to submit their bids for the hosting of this very important event.

2.00 p.m.

Out of all the countries in the region that submitted, nine countries were selected as being successful to host this very important event. So by June 2004, all countries were assessed and the International Cricket Council (ICC), after looking at these bid proposals, assessed nine countries to host these events and awarded packages accordingly. I think the rest is history. Trinidad and Tobago was awarded the brown package, which comprises India, Sri Lanka, Bangladesh and Bermuda, in the group stage matches of the competition.

It is also very important to note that the decision to award any country a package was that of the ICC. They took into consideration every aspect of one's country: the culture, what the country is capable of doing—everything. Mind you, we have a seeded team, as India, that basically is based in Trinidad and Tobago. It is instructive to note that the most sponsors for the ICC come from India. They are not going to make any joke with their sponsorship. It is in that regard—*[Interruption]* Other factors were taken into consideration in awarding us that package. We know the importance of the brown package.

The Global Cricket Corporation (GCC) has given the sum of US \$550 million to the ICC to host these events. There are about four major events, the last one being World Cup Cricket 2007. There was a problem in South Africa where the GCC sued the ICC and the particular country that hosted it. We in Trinidad and Tobago and in the region want to be clear—and, in fact, the ICC wants to be clear without the shadow of a doubt—in their deliberations as to who will be awarded what. They made sure that the country best in a position host the different packages. It is not our decision; it is totally their decision, made on the basis of what was presented to them and on their own judgment and assessment. I am putting that on the record.

Madam President, this package also includes warm-up matches that will take place in Trinidad and Tobago prior to the main event, which takes place from March 15 to 25, 2007. Prior to that, we have the opportunity to host warm-up matches on behalf of the ICC, and these matches—

Sen. Dr. Gopeesingh: [*Inaudible*]

Hon. R. Boynes: Warm-up matches are very important. We will have South Africa, Pakistan, Ireland and Canada here taking part in warm-up matches. In some instances, the warm-up will have more persons attending the game than a group match.

Sen. Seetahal, S.C.: [*Inaudible*]

Hon. R. Boynes: South Africa and Pakistan. I am sure, Sen. Seetahal, S.C., it will be a pleasure to see you looking at that match between Pakistan and South Africa. [*Laughter*] It will be our pleasure to have you there.

Sen. Seetahal, S.C.: Give me Australia and England.

Hon. R. Boynes: By June 2004, after the assessment and so forth, the Host Venue Agreement (HVA) was signed between the Cricket World Cup 2007 Incorporated and the various countries. It is important to understand that the Cricket World Cup 2007 has been incorporated by the West Indies Cricket Board (WICB) to act on its behalf for the carrying out of this major event.

Each of the nine countries took on their one-ninth share of a collective responsibility under the same terms and conditions as the Host Venue Agreement that was signed between WICB and the ICC. Since 2004, countries have been preparing for this major event. In the Host Venue Agreement, each country has committed to enacting sunset legislation that would be developed and drafted by Caricom and which will facilitate host countries being able to deliver on what they contracted under the Host Venue Agreement. In other words, the Host Venue Agreement is to prepare an enabling environment so that the obligations that we signed under the agreement can be made possible.

Sunset legislation is a tool that allows countries to be able to deliver on their obligations. Caricom Heads agreed to enact sunset legislation to be able to deliver on what was agreed to, on the basis of the experience of other countries that have hosted major events of this nature. Germany, for instance—and I know Sen. Boldon has experience there because he was there—was in a position and they enacted sunset legislation. South Africa, which held the last World Cup Cricket, enacted sunset legislation and, for the Olympics, Sydney enacted sunset legislation as well.

Madam President, since February 2004, the Caricom's drafting facility, which included Chief Parliamentary Counsels and Attorneys General throughout the region, have been working very hard to put this template in place, so that the

countries will be in a position to have a template upon which to tweak. They have been drafting this over the past two years. A lot of work went into this. My colleague, Sen. Mark, is quite correct when he indicated that they completed their deliberations about April.

At that point, Madam President—*[Interrupted]* Yes. I am told that it was chaired by the Trinidad and Tobago Attorney General at that particular meeting, in Tobago, when the last matter was approved. But, Madam President, the template has been finalized and we now have to tweak it to each country. It is in that process of tweaking that we were taking the time to make sure that we have the appropriate legislation to create this enabling environment in Trinidad and Tobago, so that we would not be sued for breaching the Host Venue Agreement. It is as simple as that.

Sen. Dr. Mc Kenzie: Are there countries in their Parliament debating this right now?

Hon. R. Boynes: Sen. Dr. Mc Kenzie is right. There are countries as we speak now in their Parliament debating this. Two weeks ago, only two countries were in a position to have their Parliament approve this.

Sen. Dr. Mc Kenzie: Do not sound like you are making excuses now!

Hon. R. Boynes: No. I am giving you the facts. We have been in the process of tweaking same.

Madam President, what will happen with our legislation is that it will be for a period that speaks to the event and at June 30, the sun will set on this legislation. That is why it is called the sunset legislation. I say no more.

This ICC Cricket World Cup will be held during the period March 13 to April 27 in front of an anticipated television audience of approximately two billion people.

Sen. Dr. Gopeesingh: Four billion.

Hon. R. Boynes: I am being conservative. CWC World Cup 2007 Incorporated is the longest sporting event ever hosted in the Caribbean region and is intended to do the following things:

- To demonstrate, as far as we in Trinidad and Tobago are concerned, our capacity and, by extension, the region's capacity successfully to plan, host and execute a world class event;
- To improve permanently our sporting and general country infrastructure, both locally and throughout the region;

ICC Cricket World Cup 2007 Bill
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- To facilitate widespread, equitable and fair participation in all economic opportunities from this event;
- To promote Trinidad and Tobago and the region as a whole as a premier tourist destination for all of the world's nationalities;
- To establish our region as a sports tourism destination; and
- To advance the process of regional integration and to enhance the profit and popularity of West Indian cricket throughout the world.

Madam President, we have been talking integration. Do you know what this Cricket World Cup has done? As part and parcel of this whole event, one will have the opportunity of coming to Trinidad and Tobago and may not even need a visa to go to Barbados. This event has actually brought us together as a region in a way never before. It is to enhance the profit and popularity of West Indian cricket throughout the world. Let me also say that we continue to support our West Indies team. [*Desk thumping*]

The West Indies Cricket Board, as I mentioned earlier, incorporated a company called CWC 2007 Incorporated and they have devised a book with 24 deliverables for all the countries to consider. These deliverables were a reflection of the terms and conditions of what was signed in the Host Venue Agreement by the WICB and the ICC. They delivered the bid book with 24 deliverables for each country that wanted to be part and parcel of hosting this very important event, which, in our mind, would be the best ever in the world, for them to put forward their bid proposal for consideration by the ICC. Some of these clauses include requirements under the bid book and required that the political environment be in support of this very important event.

I can only repeat what Sen. Mark said earlier. I believe it was in 1997 that this entire process began under a former administration. They had started the process and we are continuing the process. If I am to take that into consideration, I can only envisage that as far as cricket for the nation is concerned, we hope that we have the support of all and sundry in Trinidad and Tobago. I hope that the political environment will permit us to go forward to host one of the biggest events that will ever take place in this region. [*Desk thumping*]

Each of the countries participating was also asked to establish a Local Organizing Committee (LOC) and I am sure that coming out of the last event, World Cup Football, and looking at the different events that normally take place,

a Local Organizing Committee is normally established to run and manage the event on behalf of the country. That committee was to execute the obligations for the Host Venue Agreements between the host countries and ICC Cricket World Cup 2007 Incorporated.

An LOC has been established in Trinidad and Tobago and it is in the process of ensuring that they have all the deliverables accomplished in time for Cricket World Cup 2007. The Host Venue Agreement itself sets out the rights and obligations between the parties, that is, the country and Cricket World Cup 2007 Incorporated. This is signed between the host countries and the ICC and the host country bears the responsibility for upholding all of its obligations as confined in the document, at the risk of incurring penalties if any of the clauses is breached.

With respect to financing, they ask us to ensure, as part of our obligation, that there is financing to manage the event, so the Ministries of Finance throughout the region must ensure that appropriate funds are in place for the staging of the event in the respective country.

At the award of matches' ceremony held in Jamaica on July 12, 2004, Trinidad and Tobago was awarded the brown package. I went into that in some detail earlier.

Requirement 7 speaks to the cricket stadia and in our case it comprises one official match venue, which is the Queen's Park Oval, and with respect to warm-up matches, we are using the University of the West Indies (UWI) grounds. With respect to practice matches, we will be utilizing the St. Mary's Recreation Ground and the National Cricket Centre, in Balmain, Couva. With respect to the match day operations, which are the responsibility of the ICC and the LOC basically, as we go into the actual sunset legislation, we will see that in order to have the enabling environment to operate within the venue, they need to have some level of capability in order to do so. The legislation would give them the clout to do certain things and to protect them from breaching the Host Venue Agreement. That speaks to the operations of the ICC and the LOC on behalf of the ICC.

Then media facilities and security have to be in place. That has to be handled at two levels locally. The LOC shall be responsible for match security and the formulation of an appropriate security plan. Regionally, Caricom has proposed certain measures with regard to a visa policy and the creation of a single domestic space. Legislation giving effect to these measures is forthcoming, but it is not part of the sunset legislation.

Madam President, it also speaks to disaster management preparedness, medical services and transportation. The host venue country must demonstrate transport capacity and proper traffic management, as well as a match day transportation plan. When you look at the sunset legislation and some of the terms and conditions that are contained therein, you will realize that the whole aspect of traffic management is key in ensuring that we manage the event properly.

Sen. Boldon will also remember the Germany experience and how their traffic was managed and the distance one had to walk to the stadia. It was tremendous. Madam President, it is essential for us to be in a position to manage the traffic properly and the legislation speaks to that.

The host venue country must show the capacity for fixed communications, as well as mobile cellular phone communication and accommodation. The availability of 500 rooms for teams, officials and media called the “toms”, we must ensure that, and we have. I read in a newspaper article quite recently where they said that the Minister of Sport and Youth Affairs said we are going to bring in cruise ships. Madam President, that is furthest from the truth. If it becomes necessary and if the demand is there, then, from a private perspective, the cruise liners will provide that. The LOC is in place, looking at the situation; looking at the number of hits they get; looking at the number of people that are coming into the country and they would make those decisions, but they would be at no cost to the Government and people of Trinidad and Tobago. That is a private arrangement.

Madam President, we also have immigration and customs clearance—the marketing support. The event must be marketed and one of the main deliverables speaks to “ambush marketing.” That is defined as an attempt by a company to claim or infer association with an event for which it is not an official sponsor. This warrants its own special provision under the Bill and it is dealt with in the sunset legislation.

Madam President, we have had all different types of examples all over the world of people piggybacking on an event to make financial gains. This has been the cause of grave concern by sponsors throughout the world. If a sponsor, as in this case, has given the sum of US \$550 million towards these events, why should someone who has not put a red cent use it for financial gain?

You will no doubt see the legislation speaking to ensuring that it recognizes persons who have had their advertising for a long period of time, but if someone, two days, a week or a month before the event, decides that he wants to put up an advertisement opposite the oval that speaks to ICC Cricket World Cup, come and drink this and that, then he may be in breach of ambush marketing.

Some of the sponsors—if I may put on record—are Pepsi Cola, Hodge Telecommunications, Honda Consortium, Cable & Wireless, Visa, Scotia Bank, BMW, just to name a few. They have put up this amount of money, so that the commercial rights of the sponsors is something to which we are committed throughout the region, as in the case of anyone hosting a major event of this nature. They must commit to giving that level of protection to the commercial sponsor; otherwise there can be no event of this magnitude in the world.

Madam President, we take into consideration other matters, for instance, the bid commitments and guarantees and this is to be provided by the host venue countries and all countries have given a guarantee for the hosting of this very important event.

As to the Bill itself, Madam President, clause 1 provides a short title. Clause 2 provides for the interpretation of several key provisions within the Bill, including the GCC and the WICB.

Clause 3 provides for the declaration of any area within the control of CWC 2007 Incorporated as a CWC 2007 Incorporated venue and the declaration of a period as a match period. I want you to take very important notice of clause 3. The actual declaration is effected by order of the Minister with responsibility for sport. Trinidad and Tobago's obligations under the HVA require that appropriate arrangements are made for areas reasonably required for the staging of a CWC 2007 activity, meaning certain areas not limited to the stadium and surrounding areas. These areas shall include accreditation facilities, training, warm-up grounds, air space above the stadium, hotels, et cetera.

If I may digress, there is a matter I wanted you to take notice of. Clause 3(3) says:

“For the purposes of subsection (1)(a), areas reasonably required for the staging of a CWC activity—

(a) may include areas that are to be used for a purpose ancillary to the holding of a CWC 2007 activity;”

It talks about not including the airport or seaport, any area which is protected or reserved under any other enactment, and most particularly:

“(c) (iii) any private property, except with the consent of the owner.”

2.30 p.m.

As we tweak the legislation—for us here, this was the key because we do not want to affect people's constitutional rights. If one of these clauses were not here, then we may have had the need for a special majority. We did it in this way, where we will get the consent of persons whose private properties we would like to use for the event. That was acceptable by the Cricket World Cup (CWC), on behalf of the International Cricket Council (ICC).

One of the things I have to commend the ICC for as well is that they had their attorney, Derrick Jones, who came to Trinidad and Tobago, as he did throughout the region, and went through all of these clauses with us. It took him some time because he had to go up the region. As we tweaked our legislation, he was able to go through it with us clause by clause, to ensure that if a special majority is required then so be it, but if a simple majority is required, as is in this case, then so be it.

Clause 4 provides for the control of match stadia by CWC 2007 Inc. However, this is subject to government and local authority rights, in respect of matters concerning national security, disaster management and public health.

Clause 5 empowers the Commissioner of Police to exercise his rights and control over traffic arrangements within any match venue during the match period. This reflects the Commissioner of Police's general powers to effect road closure on a temporary basis, as well as create traffic regulations and orders governing vehicular flow and parking arrangements. It obtained in Germany during the football World Cup and it is required here as well; as in any event of this magnitude.

Clause 6 of the Bill makes provision for the sale and distribution of tickets for the CWC 2007 events by persons solely authorized by CWC 2007 Inc. alone. Persons who seek to engage in illegal transactions or otherwise purport to sell tickets to CWC 2007 activities without due and proper authorization shall be subject to heavy penalties. We call them scalpers. We are guarding against the scalpers.

Clause 7, to be read in conjunction with the First Schedule, enables the Minister with responsibility for immigration to make appropriate regulations governing special visa requirements for certain persons entering Trinidad and Tobago during the CWC 2007. These include Heads of State and that sort of thing, which is normal in an event of this nature.

Clause 8 provides that the Minister with responsibility for immigration shall provide, with efficiency and within reasonable time, work permits and approvals and documentation required for same.

Clause 9 exempts CWC 2007 Inc. player squads and officials, from payment of import and export duties. If you are coming in to play a game, as is the case in this type of event, we have to waive the duties on your cricket equipment. You are coming and leaving with it.

Clause 10 provides for the exemption of taxes and duties on specified persons inclusive of CWC 2007 Inc. staff and officials, as well as players and match officials. CWC 2007 tickets are also made exempt.

Part III of the Bill regulates the CWC 2007 match venues as follows:

Clause 11 prohibits entry to a stadium during a CWC 2007 Inc. event and/or during the man-of-the-match period, unless as a permitted entrant, that is one holding a CWC 2007 ticket, or under a general or specific authorization or accreditation granted by or on behalf of the CWC 2007 Inc.

Clause 12 further amplifies what I have mentioned; expressly prohibiting any unauthorized entry into a match venue.

Clause 13 empowers CWC 2007 Inc. to reserve areas and seating for certain persons and prohibits unauthorized entry into these areas.

Clause 14 has the effect of suspending the rights of clubs, organizations or other bodies currently holding entitlements, to areas designated and declared as CWC 2007 venues during match periods.

We were able, as the Local Organizing Committee (LOC), to get commitment from all persons at the Queen's Park Oval, if they have one of the seats. We got commitment from all of them. The Queen's Park Oval had to get a commitment from all of them to give it up. That was the only way they could have put up the oval as a venue.

Clause 15 details the forms of conduct that are absolutely prohibited within a CWC 2007 venue. These vary from the misuse of the facilities to the defacement of same, to conducting public surveys or soliciting moneys within the venue without authorization by CWC 2007 Inc.

Clause 16 prohibits and/or restricts certain items from being brought into a match venue or being on a person's possession during a match period.

The Second Schedule to the Bill also details these items. These include illegal drugs, fireworks, flares and explosives.

Clause 17 allows persons authorized by CWC 2007 Inc. to request persons to surrender prohibited items, as mentioned above, such as illegal drugs, fireworks, flares and explosives.

Clause 18 forbids the unauthorized sale of goods or services.

Clause 19 allows for authorized persons to take photographs or other images including close circuit television images of persons reasonably suspected of committing an offense under this part. Such images are for identification only and shall be destroyed within seven days of termination of the CWC 2007 Inc., unless the person has been charged. That is standard in the industry.

Clause 20 empowers police officers within a match venue to ask the names and addresses of persons within the venue reasonably suspected of the commission of a crime.

The provisions of this part are notably—some of the fines that you will see may be seen as a bit much. It should be reiterated that CWC 2007 Inc. is Trinidad and Tobago's and the Caribbean's opportunity to prove itself worthy of holding an event of a world-class nature. The importance of this must never be underestimated. There has to be—

When you look at security, we must not be in a position—and we must take into consideration that we do not want anything to happen in Trinidad and Tobago. We have to do what is actually necessary and what is the norm in the industry, to ensure that we are protected from anything happening untoward in our facilities and match venues.

Sen. Mark: In terms of the Interpretation section on page 4, there is something called a “Security Directorate”. Explain to us, what is the relationship between this “Security Directorate” and the police service in Trinidad and Tobago. Is there a relationship between these bodies? There is nothing in the body of the legislation that speaks to this particular “Security Directorate.” We would like to know if this is a ghost body or if it is a real body. What is the relationship between the “Security Directorate” and the local security services?

As we are on security, I would like the Minister to indicate to us whether there is a link between the memorandum of intent, which was signed by the Homeland Security Chief—they speak about cricket—and the advance passenger information system. We need to get some clarification on that.

Sen. Jeremie: Sen. Mark, the Minister has asked me to speak only to that last point. The advance passenger clearing system, which is set up by bilateral arrangement between Caricom on the one side and the United States on the other,

has nothing to do with this legislation which is before us. That is to come at a later time. It is called impacts. It is coming as a separate piece of legislation by the Minister of National Security. All that it does, as you are probably aware, is that it gives the contracting states, Caricom on the one hand and the United States on the other, the right to share information in advance of an aircraft or a vessel actually reaching another person's shore.

There are persons on an international watch list and we will be afforded access to a database, so that we can take adequate steps to protect ourselves in the event that the problem arises.

Sen. Mark: The only reason I raised this is that in the preamble of the memorandum of intent, there is a clause that deals specifically with cricket. Is there a link between this memorandum of intent and World Cup Cricket?

Sen. Jeremie: The short answer is no, but there is a piece of legislation which will come in connection with Cricket World Cup, which is not before us yet.

Sen. Mark: Is this an error?

Sen. Jeremie: What are you speaking about?

Sen. Mark: The memorandum of intent speaks of the issue of Cricket World Cup 2007. This was signed between the Secretary of Homeland Security and Member States of the Caribbean Community. Is there a link between cricket and the legislation?

Sen. Jeremie: There is nothing between—there have been several memoranda signed in connection with the hosting of Cricket World Cup.

There was, first of all, a memorandum of understanding, which preceded the entry into force of the Host Venue Agreement.

There was a memorandum of intent, which also preceded that entry into force of the Host Venue Agreement, which is what we are acting on the basis of today. That is what has set the deadline. That agreement, which my colleague refers to, is a separate matter which is going to come before this Senate. The Senator will have his opportunity to say whatever he has to say about that matter when it comes.

Madam President: Minister, please continue.

Hon. R. Boynes: Thank you very much, Madam President, and my colleague. Let me also indicate to my colleague that there are many different packages of legislation that will be coming before us. This one speaks to this particular deadline.

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Part IV of the Bill makes provision for the control of advertising.
[*Interruption*]

Sen. Mark: The Security Directorate that is embedded in the legislation, in terms of interpretation, does not appear in the Bill. We want to know what is the purpose of the Security Directorate and what relationship exists between it and the local security services.

Hon. R. Boynes: I know for a fact that it deals with Ministers of National Security. With respect to this particular legislation, I would have to look at it and in the committee stage, we will see whether or not we would have to take it out. I understand the point you have raised; if it is applicable—

With respect to clause 22, it restricts the use of airspace over a venue, with the exception of military aircraft or emergency services.

Clause 25 deals specifically with ambush marketing and seeks to prohibit such advertising that seeks to relate to or is connected with the event without the necessary authority.

It seeks to imply contractual connection or other association with CWC 2007 Inc. and it deals with the intent to associate certain persons with the event when that is not so. There are certain penalties in that regard.

Clause 26 prohibits the promotion or use of any sort of CWC 2007 Inc. tickets, without the express approval of CWC 2007 Inc.

Part V of the Bill, containing the theme of protection of CWC 2007 Inc's. intellectual property, extends protection to its marks, indicia and images.

Clause 28 expressly prohibits the infringement by any person relating to any goods, materials and articles described earlier in this legislation, as it relates to clause 7.

Clause 40 empowers the court to make an order requiring offending persons to make corrective advertisements by such means as the court may think fit.

Madam President and hon. Senators, you are no doubt aware that insofar as the passage of this Bill is concerned, the host venue countries and the WICB are subjected to heavy penalties if the Bill is not passed. That is what is contained in the HVA.

I know my colleague has spoken to someone elsewhere. I too have spoken to someone. The written word is what we have to deal with and November 01, 2006 is contained in the document.

However, while I urge you, I also wish to say to this honourable Senate that as we go through this debate and the clauses in some detail, I am asking Senators to think about the importance of this event to us. We are creating history in the

world. After this event has taken place, we can go in the *Guinness Book of Records* as the only event in the history of the world where there are approximately nine countries hosting one event. We have to be so careful and mindful that anything such as terrorism could happen. We have to guard against all sorts of things.

More particularly, I appeal to each and every one of you, this event is not my event, nor is it our event on this side. It is our event. It is a country's and a region's event. We must have everyone on board. Every hand must be on board in dealing with this matter.

In some instances, I saw in Germany and Sen. Boldon was there, persons who are engineers, lawyers and doctors helping out at the airport. It is an event in which every one of us must participate and help.

Look at what the Soca Warriors has done to our reputation and image in the world. We have to use this event as well to take the image of our country and region to the next level.

I am asking that all hands be on deck. I apologize for not coming to you earlier. I throw myself at the mercy of this honourable Chamber. At the end of the day, I am asking that in the best interest we put cricket, the country and the region first.

Madam President, I beg to move.

Question proposed.

Sen. Ato Boldon: Thank you, Madam President. Let me start by saying I do believe that both Sen. Yuille-Williams and Minister Boynes are very sincere when they apologized for the timing of this.

Having been a former sportsman, obviously, I am a bit frustrated because, to be quite honest, we have not had enough time to sit down and really get into the substance of this Bill. I do agree with the Minister, this is a time that—because sport is such a unifying thing in this country and region.

On several occasions he mentioned the World Cup which took place in Germany earlier this year. Anyone who was privileged enough to be there would be well aware of the benefits that country—of course, with the Cricket World Cup next year—and a region realized from having put on a good show.

I guess the issues that I have are with respect to where we are right now and what the planning and preparation have been to this point. I am a bit wary of the type of show that we are about to put on.

The Minister spoke at length about the importance of this. This is not just about this Senate and this country, it is about the region, creating history and doing something that has never been done before.

I humbly submit, anything that important should not be left for nine hours to the absolute deadline. That is a source of concern for me. I believe the Minister; he is contrite, this is not a normal circumstance. But, at the same time, it sends me back to things that were said before. I said in this Senate, on a prior occasion, that I remember hearing both the hon. Minister and the hon. Prime Minister say that it was necessary to build the Brian Lara Stadium so that we could host the CWC. I was told by my colleagues on the other side that was not so. I went and looked it up and there it was. Not only did the hon. Minister say that we had to build that stadium, but he said that if it was not built, we were under threat of being sued. Today he is saying, rather than delay the debate on this Bill, we have to do it now, within the next nine hours of October 31, 2006 because the rules say, as he said, the senior personnel that he has been in contact with, have said that this has to happen today otherwise there are fines.

You would forgive me if I am not convinced—his credibility, to be quite honest, is a little shaky. Now we understand that for whatever reason, I would not belabour the point, the Brian Lara Stadium is not going to be factored in. We now have the Queen's Park Oval, as well as UWI grounds which will be used for this purpose, but we were not sued nor fined, so it means that—[*Interruption*]

Hon. Boynes: Will you give way?

Sen. A. Boldon: Sure.

Hon. Boynes: I mentioned that the Host Venue Agreement contained that we must have this done by November 01. That is the legal position. That is my position on the matter.

Sen. A. Boldon: Thank you for the clarification, but I do not know if that is speaking specifically to what I am referring to. The only thing that should matter to us is to legally do what we have to? Let us be honest, this is a rush job that we will do here today. Both the Independent Senators and Senators on this side have said that, in the interest of sports, certainly we are going to work—[*Cellphone rings*]

Madam President: I am hearing a cellphone. Please, members of the media, turn off your cells. Continue.

Sen. A. Boldon: Thank you, Madam President. If we are honest, this has become, this afternoon, a rush job. As a result, I am always concerned that there

are things that will be overlooked, simply because some of the truly brilliant minds in here will not have the 15 days that the Standing Orders usually dictate, to go through something like this, and something will be missed.

At the end of the day, as the hon. Minister said, we have to be concerned that the world is watching. This is an audience that will be tuned in to part of the world like never before. We have to be very careful that we do not have any oversights.

The hon. Minister mentioned the World Cup in Germany in 2006, the Sydney Olympics in 2000 and he also mentioned South Africa. They too, as he said, enacted their sunset legislation. However, they did not wait until the last minute.

Much was mentioned by the Minister about being world class. You cannot have sub par preparation and planning and then expect to put on a world-class event. It does not work that way in any phase of life.

As a former world-class athlete, I know that there is no way to be delinquent in your preparation and then expect that the results, all of a sudden, will be world class. It simply does not happen that way.

My frustration—[*Interruption*] Yes 9.86, thank you—is also with—The Minister talked about image. I can tell you how it looks to everybody else, from speaking to the friends that I have, who are on the other islands. They would say: “Why must you all always bring up the rear?” If we are honest, that is what we are doing right here. I know that, as was said, Guyana and St. Lucia are also probably right at this time, having this debate. Guess what, as much as I love those countries, I am not too concerned with St. Lucia and Guyana. My concern is if this was so important for us, how it is that it could not be moved to a higher priority. What were we doing?

This thing has been sitting here since April. How much tweaking do you have to do in six months? Six months of tweaking? Through you, Madam President, I want to tell the hon. Minister that one of the things I was certainly impressed with was when he talked about how well a job the Germans did of putting on the World Cup this year. That was because three or four years prior, they were running their security plans and all they knew they had to do was rehearse for when the people came, the traffic and all the logistics of hosting a major event. When that came, it was not a surprise. It was not something they had never dealt with before.

My concern is, looking at the fact that the stadium was not ready and here we are last minute doing this, it begs the question: What else are we going to do last minute? What else is sitting there, that will be another surprise within the next six or eight months and people are going to say: "Why did we not address that earlier?"

The issue of the venue becomes very important because one of the things that Germany and Australia did two and three years before is that they made sure that they had a specific plan for each one of their venues, such that there is no scenario that could have happened for which they were not prepared. The hon. Minister may correct me if I am wrong, but I do not see that kind of planning, in terms of our venues. A part of it is because the venues have recently been changed, maybe in the past month. We now know that we will be at UWI for the warm-up games and at the Queen's Park Oval for the main matches.

Hon. Boynes: A number of the countries are in fact now building stadia. They have had the plans and the stadia are not physically constructed as yet. In our case, at the Queen's Park Oval, we have done many trial runs, utilizing some of the cricket matches we had in the past. It is work in progress.

Our LOC is one of the best. We are monitoring the work that was done at the Brian Lara Stadium and were able to take the opportunity of putting a plan B in place long before and we were commended by the ICC for so doing. I understand the need for planning and we are doing that.

Sen. Joseph: Thank you for giving me an opportunity to make one point. The challenge we face in the Caribbean is that nine sovereign states had to become one space. When you talk about Australia, it is one. When you talk about Germany, South Africa and all these other places they are different. Here we have nine sovereign states that had to be treated as one geographic space for the period of the games. That was the challenge that we faced.

Sen. A. Boldon: I thank the Minister for the clarification. Let me, through you, Madam President, say to them that that sounds very close to an excuse for not being up to mark. In other words, I do not want to say that I am able to do the hon. Minister of National Security's job, but at the same time this is not something that we knew about six months ago or last year. They have known, as the hon. Minister said, for several years that was going to be a challenge.

As a result, again, I am getting wary because it sounds like what he is trying to say is: Because we are not Australia, Germany or one specific country, we will have security issues that are unique to islands. At the end of the day, if the planning was in place, I do not think that island, peninsula, isthmus or anything would have made any difference.

The Minister mentioned Germany, in terms of how successful it was for their people. My research indicates that the recently concluded World Cup was a resounding success, in terms of the benefits that the country reaped. It added 4 per cent to their GDP in the final analysis.

One of my concerns is that we have a history, unfortunately, that we have a great build-up, fanfare and excitement and then, at the end of the day, the tangible benefit to the population is not realized. In his wrapping up, I would like the Minister to address that.

He spoke about ambush marketing. That is a very slippery slope. In recent tournaments, there were cases where, if I am a fan and I am coming into the stadium and I am wearing something which is very visible, but not in line with one of the sponsors, I may be asked to cover it up or take it off. I think we need to know how we would look at this part of the Bill that deals with ambush marketing.

We know that we are a very demonstrative people in Trinidad and Tobago and I do not think we want to put a law into effect, even if it is sunset legislation, where fans of the West Indies—well, not them because they will not be playing here—India, or whichever team, can go and freely celebrate and join with their team and support, without worrying about: Am I going to be ejected from the venue because I am wearing something which does not fall in line with the corporate sponsors?

The issue of having the warm-up matches at UWI raises a bit of concern for me. At this particular time, I want to ensure and bring it to the attention of the Senate that, obviously, that is a university. My concern is, even with the time of the year that this is being held, we have to be careful.

What I have heard is that people are very disappointed with the package that we have received. The Minister said that it was not really up to us. I do not know if I totally agree with him on that. I believe, if we really wanted to lobby that organizing committee, in terms of what we got, we could have done a better job.

He mentioned that they chose who would do the opening ceremony, based on culture. Hello! Peter Minshall! I was in Atlanta and I think that was the best opening ceremony in the history of the Olympic Games. I do not know if I believe the hon. Minister when he said that is literally what we got and we have to take that. I believe, if it was a question of the country with the most flamboyant culture, we would have been a shoo-in to have the opening ceremony. Many are disappointed with the package that we have received.

There are many people who are excited and reasonably pleased with the package we have received, but there are some who are disappointed. Of course, we know the title that our own Brian Charles Lara holds. Many are disappointed, because he will not get to play a home game in front of his fans. At the same time, I submit, because there are so many things that are going to be thrust upon our everyday lives, we have to be very, very careful.

We already have in the newspapers everyday people are complaining about the traffic congestion on the roads. I really would like to see something done whereby the public can be assured that this will not be a problem.

In my experience, when you go to an Olympic Games, local people leave town. They are always concerned that with the influx of tourists and fans, there will be huge burdens put on the community at large. This Bill has several clauses in relation to the closing of roads. We know when we close our road at the US Embassy, that creates an uproar and people do not take kindly to having to go through the detours. My concern is when the World Cup is going on, the planning must be so airtight that it does not become an instant burden to the people of the Republic of Trinidad and Tobago.

The other thing that the Minister spoke about is our creating history. One of the things that is extremely important when you are hosting is, as he said, the volunteers. What Germany did spectacularly is that they sought the best citizens of their country. Some of them were doctors and lawyers but they recruited people for the volunteer jobs such that there was warmth and a vibration that you got from these people when you showed up in their country, which lasted way longer than the football ever could. One of the things that I do not see here is something to account for. We have to recruit these people—you are a cricket fan, you want to volunteer to be in World Cup or to be an usher—and they need to be trained. We cannot just simply assume that we will pin volunteer badges on them and things will be right. As many of us would admit, not everyone here is hospitable as we would probably like them to be.

I will keep my contribution brief. Again, I want to reiterate that I accept the apologies of both Sen. Yuille-Williams and the hon. Minister. For the sake of sports, we will try to be cooperative with them in this regard.

Thank you.

Sen. Dana Seetahal, S.C.: Thank you very much, Madam President. May I, at the outset, congratulate Sen. Boldon on what I thought was a very good contribution.

I want to add a few comments and talk about some of the offences that are constituted in the legislation, which are not too much. I am never too long.

May I say at the outset too that I am a cricket fan. I follow it scrupulously and I know that the next match is on Thursday. We must all support the West Indies to become the ICC Champions again.

Having said that let me say plainly that I am very disappointed—I do not know about other people—that I would not be seeing the West Indies play in CWC 2007. It is very gracious to say that we will take what we get, which, in fact I understand, was put out in the newspapers and never denied that we said that. There are the other smaller countries and they need the tourism. Please, if you want to be gracious, at least consult us. I frankly did not think that was the attitude to have: “We will take what we can get.” We got a brown package where we will have India—admittedly a good team—Bangladesh and Bermuda. How many people are going to look at these matches? I do not think I would be impelled to see Bermuda play, to tell you the truth. That might sound a little prejudiced but—[*Interruption*]

Sen. King: Or Ireland.

Sen. D. Seetahal, S.C.: Yes, when Ireland comes with their warm-up matches. Sen. King might be one of the few and I might hang on to her coat tail, if she says come. I would wave a green flag. To get people for the warm-up matches—[*Interruption*] They are one of the teams. I heard the Minister mention them for warm-up matches. I am not sure whether they would play anything. They would be there to add numbers.

On a serious note, if we want to energize the Trinidad and Tobago populace to go to these matches, I think from now there has to be some head-on marketing. I know Penny Commissioning and a couple of other persons were previously on television saying that you should come and book your tickets now. As much a cricket fan as I am, I was not moved to go and do anything about it. It was ineffective. If it did not have an impact on me, I think it would probably not have an impact on many people.

You probably need to get something with music and singing; something to make you excited. There should be someone saying: “Come and get your World Cup Cricket now.” You should show us stick figures playing cricket, a ball hitting a six or something from excerpts of a cricket match. That will get people excited.

On the brown package, we will say no more because I know that it is a bit of embarrassment. We have to make the most that we can. Frankly, let us not say that we got a good package. Somebody has to have it and if Trinidad and Tobago got it—we have a good and reasonably well economy—then let us be gracious

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and let the people have it and do what we have to do. At least, if we push it forward and have people become part of the whole Caribbean thing—it is one World Cup after all—then those of us at home can get to see the matches of the West Indies live. You do not have to pay for it. That is a good advantage. If it were here, we may not have gotten it live.

The Minister mentioned twice that \$550 million was given to hold these events. He said: “These events, the last one being the World Cup,” I am not sure what he meant by that. Later on he said \$550 million for the World Cup. Is it TT \$550 million? If it were US \$550 million we would be talking about billions. If it is US \$550 million for the entire World Cup, how much of that do we get, in Trinidad and Tobago, if any?

Hon. Boynes: Thank you for raising that question and concern. The Global Cricket Corporation has given to the ICC approximately US \$550 million to hold four major events in the world, the last one being Cricket World Cup 2007. Out of that, approximately TT \$120 million—I will confirm the figure—was given to the West Indies Cricket Board, of which 30 per cent will be divided equally among all the LOCs in the region. They will be getting certain revenues from the money that the GCC has given to the ICC.

Sen. D. Seetahal, S.C.: Thank you very much. It boils down to tens of millions, rather than hundreds of millions. That is okay, as long as we know what we are talking about.

What I also want to find out is, we know we are late with this legislation. I do think that it is a little lesson. We have all made mistakes. I made a mistake when I reversed into someone in the driveway last week and hit his fender. I had my music on too loud. It cost me money. I hit the vehicle and not the person. We all make mistakes. However, I would hope that it teaches a little lesson in humility.

Sometimes I see Ministers and other people in positions of authority acting with a certain arrogance that is not admirable, and taking advantage of the fact that others do make mistakes or that other people are in less positions of authority. Perhaps, it is useful to remember that these things happen and you need other people's assistance somehow and sometime and you should never allow the fact that you happen to be a Minister and happen to be on that side, to operate too strongly in your mind.

Having said that, I would like to know, through you, to the Minister, what is the penalty we would have or may still face if the legislation is not passed? That might cause all of us to be more inclined. We have said that we have no problem

in debating it; at least we on this side. It might be of interest. Seeing that the penalty we face might be some millions, according to my colleague, it would not be inimical to the interest of Trinidad and Tobago that we support the legislation. Probably in your winding up you can tell us.

I have been asked by my colleague to ask this question: Why is the WICB registered in the British Virgin Islands, seeing that the British Virgin Islands is still part of the British Empire? That would be of some interest to me since they are always bankrupt.

As I am talking about world-class events, we last hosted Miss Universe in 1998. There was a lot of fanfare. At that time, I was not in the country but I saw it in the US, together with many other people who were very excited to see Trinidad and Tobago. I pointed out all the fishes. There was a backdrop—as if I had something to do with it—and was saying: “That is my country and there are the fishes.” I remembered they showed fishes. I do not remember many things. I remembered the Coral Reef. We really looked good. I did not bother with the contestant. I cannot remember who it was. I believe that there was very little follow-up there. We had it and people talked about it. People said that we spent a lot of money and they asked what next. We did have a world-class event. It was a Miss Universe, it was better than the Miss World event, but there was no follow-up. As Sen. Boldon asked: What will happen, if anything, afterwards?

Moving to the Bill, there are three things I want to know in relation to what is contained in this legislation, which I understand is common throughout the Caribbean, except that there was some tweaking by the Attorney General. Normally tweaking does not take months. I have tweaked legislation, which means we have gone through it and sought to amend bits of it. I hope that his department did not take months to do that tweaking. I would be very surprised.

Having tweaked, however, in the Schedule—[*Interruption*]

Sen. Jeremie: Just on the tweaking point. That was not raised by me. My work was done in April 2006 in Tobago, when I chaired the Legal Affairs Committee meeting of Caricom, which then made recommendations to the Heads of Government.

Sen. Boldon: You are passing the buck?

Sen. Jeremie: No, I am not passing the buck. I am taking responsibility for what my work was. My work at that point in time was complete. I then passed the matter on to the relevant authorities to be tweaked.

Sen. D. Seetahal, S.C.: The Attorney General may have misunderstood. I was not complaining about the delay. When he said: “My work was done, “ I was merely asking how long the tweaking took. It was a general question about tweaking and probably one weekend in Tobago.

Having said that, I would like to know—in the Schedule we have before us the Brian Lara Stadium is still listed. I presume you would have to delete that and substitute. I thought I would bring that upfront for your attention. I know we all know this, but everyone is talking about UWI being used. Since earlier this year, I knew that UWI was going to be a ground. I do not know how no one else knew about that.

I exercise in UWI and I used to walk around that field until they barred the whole field and said: “This is going to be one of the World Cup venues.” Nobody can walk on the field. Some students used to go with their girlfriends on the green and look at the sky. All of that has stopped since the beginning of this year. We knew from then. I do not know if you went afterwards—[*Interruption*]

Hon. Boynes: It was part of the World Cup venue, but it was the practise venue. Now it has been upgraded to a warm-up venue.

Sen. D. Seetahal, S.C.: I was informed that it was going to be—not a practise venue. Everyday it was being cut and combed. Everyone was down there picking up every bit of grass much better than they ever did for Queen's Park Oval. I have seen it.

If I may say, on the serious question of traffic, under the current legislation there is provision for traffic control in clause 5 of the proposed legislation by the commissioner. I do not know if everyone knows but, to me, this has become the most serious problem; more than crime in this country, the problem of traffic.

If you are sitting in a traffic jam, after 15 minutes—it happened to me—I felt like taking my vehicle and ramming it into all the others, right, left and centre. There is the frustration level. After you come out of that, you have to go and work.

This morning things were so bad, I was passing between two vehicles and after having turned on Independence Square, someone overtook me and stopped in front of me and said: “You cannot stop when you hit a vehicle?” I said: “Did I hit your vehicle?” The man walked around his old vehicle and saw nothing and then jumped in his vehicle and darted off. He must have been so frustrated, maybe I came close or he came close, he thought I had hit him. That is the kind of problem we are having in the country with the traffic situation.

I know there are plans to deal with it and we are talking about all the things. The Minister of Works and Transport came and talked about all of that. That is great to look forward to. When we are having this in the St. Augustine area, UWI, I do not know if you go there, but I go there regularly. I live in the area; not to mention the university, the schools and the roads. You are going to block off certain areas. Do you know what can happen? We might find people doing a lot more than jumping out of their cars and accusing you of hitting them.

The traffic control situation, you need to do a lot more. You need to hijack some areas and put vehicles across the highway. Something has to be done early and people have to be given initial warnings from January; education on what they can or cannot do or bring on the field.

Under clauses 7 and 8, there are many provisions for the sale and distribution of tickets. Nobody is supposed to be hoarding tickets and selling them at a premium.

In terms of entry, if you enter the ground and you have no authority to do so, the penalty could be as much as \$12,000 or \$30,000. If you conduct yourself in such a way, creating strife and loud behaviour, the penalty could be \$120,000. There are grave penalties there, but there is one problem I see. There is nothing in this legislation which talks about an alternative. If you are a man of straw and you create havoc, the penalty is stated at \$120,000.

What happens if you cannot pay it? Under the current law, you have to look at the existing legislation, where there is a penalty stated and there is no alternative provided, it is said that it could be as much as six months or four months. There have been arguments on that as to where it is totally excluded. Should it not be an alternative of a civil debt—this is getting into the law—of six weeks? There is argument there. I think it should be included in the statute.

I do not know what happened in Barbados. When we are tweaking, I would like that we put the tweaker to include “\$120,000 and”. “And” means “or” in this case, “two years or three years”. If you fine somebody \$100,000, you can say “or six months”. As it stands with the penalty of a fine, there is a problem that may arise. Many of the people may do nothing. What will you do?

There is that and the distribution of tickets, which is going to be, possibly, a problem. If you sensitize people and make them so excited, then contrary to what I said at the outset, you find people want to come so much, especially to the India match. You might find on the last day—you know that people changed their mind. Right now, I do not want any tickets, but if everybody is going, the day before, I might come around and say: “Give me a ticket.”

Sen. King: Go to Jack!

Sen. D. Seetahal, S.C.: Yes. As I was saying, you might need a ticket at the last minute and you might have scalpers who would be making a lot of money out of this. We need to do something about that, in terms of educating people as to the penalty. The penalties and probably enforcement of those penalties would be important.

We are talking about the police commissioner and all the traffic. Is it that we are going to use police officers for payment in these venues and the area around them? Enforce these things. You need enforcement. If it is public areas, sometimes you are entitled to have regular police officers on patrol. If it is inside, you would pay them or have a separate security and give them powers of arrest on the day? These are things you need to look at early.

Are you going to have one of the security firms here and pay them a set of money and they would be paying their workers \$9.00 per hour? Let us not have any ridiculous things like that. Those are issues that I would like to have considered and of which I would like to hear more.

Thank you very much, Madam President.

3.30 p.m.

Sen. Dr. Tim Gopeesingh: Madam President, I think it is incumbent upon us to first of all congratulate the young team of parliamentarians who took part yesterday in the debate. I think it was a beautiful example of what this country is going to see in the future. [*Desk thumping*] We are on our way out and, hopefully, that is the young generation of politicians that will come forward and serve this country beautifully.

Secondly, Madam President, we want to welcome you back after the budget debate. Your Vice-President served us beautifully, and he was remarkable. Sincere congratulations to him. We cooperated with him. [*Desk thumping*]

Madam President, the Bill that we are seeking to discuss here today is a Bill which encapsulates 47 days of world class cricket throughout the Caribbean. This is a momentous and joyous occasion for us in the Caribbean. I can say that in the context of being a former national cricketer.

Sen. Mark: Yeah man! [*Desk thumping*] [*Interruption*]

Sen. Dr. T. Gopeesingh: Madam President, I live, breathe and eat cricket, since 1969 at the University of the West Indies to 1978 at Queen's Park Oval. [*Desk thumping*] Nine years of my life was dedicated to cricket. I was one of the

few West Indian players, probably out of eight who played for two countries in the Caribbean. I played for Trinidad and Jamaica. [*Desk thumping*] I even played for Jamaica against Tobago when Jamaica did not have 11 players to make a cricket team here, when they were playing against Tobago. That was in 1974, in my final year of medicine. [*Interruption*]

Members of the Opposition feel very elated about what is to come in cricket, because we support West Indies cricket. I think this has done us proud internationally. Wherever we go, we are being looked at as one of the leading cricketing countries in the world. [*Desk thumping*] People would ask you: Are you from Lara's country? They do not know Trinidad; they know Lara. So, whatever part of the world you go they would ask you about Lara.

I had the pleasure of knowing Lara when he was nine years of age. Joey Carew was my captain at Queen's Park Oval from 1973 to 1978. I played against Australia in 1978 and the Combined Islands with Vivian Richards as the captain. When I played for Trinidad there were eight West Indian players on the Trinidad team, including Bernard Julien, Raffique Jumadeen, Imchan Ali— at that time, Derek Murray was my captain—Larry Gomes and Charlie Davis. These were the people I played with.

When I was at the University of the West Indies, I played against India, New Zealand and Australia. I played for the Combined University of the West Indies against Australia in 1973. So, cricket was my life. [*Laughter*] The University of the West Indies never won. We had a 40-overs game against Australia, and in those days we had Dennis Lilly, Keith Stackpole and Jeff Thompson. I played against them. For me, it is refreshing.

Madam President, since 1975, I sat before the television and saw the West Indies beat India in England, in the finals of the World Cup in 1975. The joy it brought to me as a young man playing cricket was unbelievable. We look forward to the same joy coming in 2007. I saw when Lloyd received the World Cup on behalf of the West Indies team, and it was extremely beautiful. I also saw when Andy Roberts stood up with Derek Murray in the end when we defeated India. This is my memory of cricket. I gave my services to Trinidad and Tobago as a young doctor playing cricket and I had to mix medicine and sport. I may be corrected, but I was the only medical doctor in the western hemisphere to play international cricket. [*Desk thumping*] So much for that introduction, and that is why I feel it is important for me to contribute a bit. Minister Boynes and myself are very good friends and I want to raise a number of important issues on this matter.

We accept the Minister's apology, but we know that he does not have much jurisdiction over it because, basically, this whole World Cup Cricket matter was managed by the Prime Minister. I will not go into much more details. As the Minister of Sport and Youth Affairs, you were left out at one time, and you had to fight your way back to be included in the discussions. [*Desk thumping*] He knows that. [*Desk thumping*]

Hon. Boynes: Let me go on the record and indicate that as far as I am concerned and as far as I am aware, as the Minister of Sport and Youth Affairs, the Ministry has always been at the forefront of this, in conjunction with the entire Government and the Cabinet. There is a ministerial committee that deals with this matter and it is chaired by Sen. The Hon. Dr. Lenny Saith. We have always put our best foot forward to make sure that we have the best Cricket World Cup ever.

Sen. Dr. T. Gopeesingh: I am sorry, but the committee has not done him proud, as the Minister of Sport and Youth Affairs. I am sure he is disappointed with the committee which undertook that responsibility.

Madam President, in 1998 the West Indies Cricket Board of Control submitted its bid, and in November 2003, the West Indies Cricket Board signed a Host Agreement with certain terms and conditions and commercial rights of promoters. They dealt with a number of security issues and so forth.

In February 2004 the bid commenced. The West Indies Cricket Board and the ICC met and they developed a bid book, as the hon. Minister indicated, and nine countries were selected.

In June 2004 all the countries were assessed. We all know that Trinidad and Tobago was awarded the brown package which includes India, Bangladesh, Sri Lanka and Bermuda. He indicated that the decision to award any country was the ICC, but that was based on the proposals submitted by the individual countries. He said they took into consideration a number of things.

We understand—I spoke to someone very senior in the ICC Cricket World Cup 2007—that the proposal submitted by the Trinidad and Tobago team was so bad, and in the words of that person—I want to just quote him—

Sen. Jeremie: You are quoting from where?

Sen. Dr. T. Gopeesingh: That is all right.

Sen. Mark: He wrote it down. I spoke to you and you told me it was the worst thing and he wrote it down. That is what he is going to quote.

Sen. Dr. T. Gopeesingh:—it is totally theirs—that is Trinidad and Tobago—on the basis of what was presented to them and in their judgment they had tremendous difficulty in awarding Trinidad and Tobago anything more than what was awarded, the brown package, because the proposals submitted to them were very weak; they were inconclusive; and the best that we could have qualified for was the brown package which is the worst of all the things that could have been given.

Madam President, here is the Cricket World Cup Brochure which I had to analyze to purchase tickets from and which I had to submit by virtue of a lottery system to see whether it was available. I purchased almost TT \$22,000 in tickets, because I love cricket. I bid for the warm-up matches, because I wanted to see cricket in Trinidad, but then I have here with me two tickets at US \$40 each for South Africa versus Canada at the Brian Lara Stadium.

Pakistan versus Ireland, Brian Lara Stadium, two tickets at \$80 each; Brian Lara Stadium, Ireland versus Canada, US \$40 each; Pakistan versus South Africa, Brian Lara Stadium, \$80 each. So, I have tickets with me, and somebody owes me money because of the incompetence of this Government to prepare the Brian Lara Stadium. [*Desk thumping*] Madam President, I am not saying this in the context of a vacuum.

I want to quote from the *Hansard* of Wednesday, October 13, 2004 where the hon. Minister of Sport and Youth Affairs, hon. Roger Boynes indicated:

“In cricket, like the rest of the region in Trinidad and Tobago sport is synonymous with cricket.

Development plans for staging events and matches of the up-coming Cricket World Cup in 200...”

That is Wednesday, October 13, 2004.

“I am engaging the attention of the governments throughout the region. The Government of Trinidad and Tobago has signalled its intention to invest considerable funds to improve the facilities and to construct a multipurpose international sporting complex in south Trinidad, the Union Park Site at Marabella has been identified as the location for this Project which will form part of the proposed Brian Lara Multipurpose Sporting Academy.

It was on that basis that the ICC World Cup advertised 12 stadia; nine fascinating countries with different experience every time, warm-up venues. Brian Lara Stadium.”

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This is the ICC World Cup Brochure, and it says that this is a new stadium under construction in Tarouba, South Trinidad, which will seat 15,000 persons for the warm-up matches. Where is this Brian Lara Stadium for the warm-up matches? This is on the ICC Cricket World Cup Brochure. I think the Members of this Government should feel ashamed. They should hang themselves in shame [*Desk thumping*] for going through and fooling the rest of the world. They fooled the rest of the world; they are not even fooling themselves, because they know they fool themselves every day, because they know that they are incapable of implementing and doing anything which they promise. So, they have fooled the world. So when one looks at this and they see the Brian Lara Stadium well, guys: Where is the Brian Lara Stadium that you say is going to seat 15,000 persons? Since 2004 they have been talking about this. The Minister went on to say:

“Mr. Speaker, as you are no doubt aware, Trinidad and Tobago has been awarded the Brown Package of matches in respect of the ICC World Cup, 2007. As a result, Trinidad and Tobago would be hosting six first-round match events in Group C, including India...The Government continues to work with the ICC CWC Inc. 2007 and Caricom to ensure the successful hosting of cricket in the region.”

He went on to talk about a lot of things:

“We in Trinidad and Tobago look forward with great excitement to the preparatory developments leading up to the Cricket World Cup events. I dare say, Mr. Speaker, that Cricket World Cup would be launched next year April in Trinidad and Tobago.

The establishment of the Brian Lara Multi-purpose Caribbean Sporting Academy comprising a Multi-purpose Sporting Facility...A first-class cricket facility is also to be built in Bacolet, Tobago to advance the game of cricket in that island and add to their sport tourism.”

Madam President, you could ask Sen. Dr. Mc Kenzie; nothing was done.

“Significant upgrades to the community sporting facilities at Cantaro, Santa Cruz.”

Nothing!

“An Olympic sized swimming pool to be named The George Bovell III Swimming Complex in Port of Spain.”

Nothing!

“An Olympic sized swimming complex to be built in Tobago.”

Nothing!

“The development of a Multi-purpose Sporting Complex at Union Park, Marabella.”

Nothing!

“The completion of the Youth/Sport Multi-Purpose Facility in Mayaro.”

Nothing! This is what the hon. Minister is proud of. He has made a terrible faux pas in promising from as early as 2004 these things.

In April the draft was completed and six months later they want to rush us to pass this legislation. Totally untenable! It shows how this Government runs its business by vaps. The legislative agenda is by vaps, and they do not seem to know what they are doing. It is time for you to remove yourselves and give us a chance to govern. [*Desk thumping*] [*Laughter*] We are going to show what governance is. We showed you in six short years, and we are going to show you again. [*Desk thumping*]

Madam President, the Bill really is “to make provision for the efficient and effective staging of ICC Cricket World Cup West Indies 2007 and for related purposes”. My colleagues, Sen. Dana Seetahal S.C. and Sen. Ato Boldon went through some of the clauses and they have raised some issues. I would like to raise some other issues.

Clause 3 says:

“(a) declare any area within the control of...CWC 2007 Inc...as a CWC 2007 venue;”

Hon. Minister, we want to have this matter clarified. What is the venue? Is it Queen’s Park Oval for the game? What warm-up matches are being held at the university ground so that I can have an understanding and the cricket loving fans of Trinidad and Tobago who bought tickets can know where the warm-up games are going to be played? Where are the practice games going to be played?

Madam President, I played a game earlier on this year with past Trinidad and Tobago players at the Balmain Cricket Ground. [*Crosstalk*] [*Interruption*] I took about three wickets.

Sen. Mark: If you were to play John, you would make zero.

Sen. Dr. T. Gopeesingh: Madam President, he is provoking me. Let me tell you. I played for the Vice Chancellor’s International Team on two occasions against Caricom Prime Ministers: one in St. Lucia and one at the University of the

West Indies. During the last few years, and I took three wickets. Do you know whose wickets I took? I took Prime Minister Mitchell from Grenada; Prime Minister Kenny Anthony from St. Lucia; and Prime Minister Owen Arthur from Barbados. On two occasions I took all three wickets, but I will take Mr. Manning's wicket just now as well. [*Desk thumping*] [*Laughter*]

Sen. Mark: AG, you look for that. [*Crosstalk*]

Sen. Dr. T. Gopeesingh: I think, Madam President knows the time when I was playing cricket. She knows very well. So, we would like some clarification on the venues so that the population of Trinidad and Tobago—the cricket loving fans—and those coming from abroad will know in advance, because many persons want to book their hotels, and that is another important matter that we have to consider.

Clause 4 says:

“(2) ...subject to the rights of any authority responsible for public health, disaster management or national security.”

Madam President, I just want to touch on two of these issues and they are disaster management and national security. I want to ask this administration what plans it has for disaster preparedness. Is it the tsunami stadium which is not going to be completed? I believe, the hon Prime Minister said that if there is a tsunami, they are going to house them at the Tarouba Stadium. We want to know if the Brian Lara Stadium in Tarouba is going to be the house for the tsunami or any disaster that may occur during the cricket.

You know that Indian teams and Indian fans are very avid, and how emotional they can become. I remember in 1959 as a little country boy going to Queen's Park Oval from Fyzabad—I was carried by my brothers—I saw Charran Singh being run out in 1959 and the number of bottles that were thrown, and what happened on that day when Trinidad and Tobago erupted at the Queen's Park Oval in 1959. I was a little boy and I had to duck under. So what disaster preparedness are we bringing forward? We know that the disaster preparedness plan for Trinidad and Tobago is abysmal. The authority that is looking after disaster preparedness is not functioning well. You did not give them the type of finance that you are supposed to give them. So, in case of an event where you have people storming the pitches and breaking down the wiring and fences which can occur, are you going to jail 100 or 2,000 cricket fans? What are you going to do in those situations? I will return shortly to the question of security.

Let me go on now to deal with some of the other clauses. I will skip the preamble and so forth, but I am going to the meat of the clauses. Clause 2 says:

“In this Act—

‘advertisement’ means any written, illustrated, visual or other descriptive material or oral statement...with the intention to—

(a) promote the sale or leasing of goods...

(i) goods may be purchased, leased or otherwise acquired; or”

What has the Local Organizing Committee done about local vendors who earn a livelihood by selling? They have not been informed that they have to get permission from CWC 2007 for the sale of goods on the premises where these games are going to be played. As you know, the poor people look forward to cricket games.

Madam President, Trinidad used to host two test matches out of five; two one-day international games out of five; and we are being relegated to a “brown bag”. Do you know why? The Prime Minister said that we are not going to compete with our Caricom neighbours because we want to be the centre for the FTAA. That was the basis. He said we are not going to compete because we want them to support us for the FTAA. Where is FTAA now? It gone! George Bush has pulled a whole thing on all of them. So, the 34 countries in the western hemisphere that were looking at the FTAA, George Bush had already signed bilateral agreements with them. [*Desk thumping*] All these things that we gave up like the FTAA to host Cricket World Cup in Trinidad and Tobago—we have given up our rights to our Caricom neighbours; we have given up the FTAA; and we get a dirty brown paper bag to hold in our hands.

The people who want to earn a livelihood by selling and being in the test cricket arena want to come and sell at the University of the West Indies or at the Queen’s Park Oval. I am sure they do not know that they have to apply for permission to do so.

We will want to suggest to the Local Organizing Committee that they put out some advertisement as early as possible, because I am sure they have not done that, knowing their competence. I am going to talk about the composition of the team shortly and the Local Organizing Committee. I am on it now.

“‘Committee’ means the Local Organization Committee or the CWC World Cup (2007) Trinidad and Tobago Limited, a Company incorporated under the Companies Act;”

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Madam President, I want to ask: Who are the members of this Local Organizing Committee? What is their degree of competence? I am casting no aspersions on anybody.

The Trinidad and Tobago—I looked at it under the ICC Cricket World Cup on the Internet—committee said that understanding that sport and tourism is a winning combination, the Local Organizing Committee will through this opportunity, imprint its unique national and cultural identity. There are 11 or 12 persons on this Local Organizing Committee.

I have been in cricket for almost 37 years of my life, and I know almost every cricketer who has passed through Trinidad and who has been associated with cricket. Minister, you know that. I have not seen one name of any of those persons on this Local Organizing Committee, except Wayne Smart who has been involved in cricket. How can you put together a Local Organizing Committee on cricket and you have only one person out of the 11 or 12 persons who knows about cricket?

Sen. Mark: Who are these people? Are they PNM party people?

Sen. Dr. T. Gopeesingh: I do not want to denigrate anybody's name. You know who the members of the committee are. They do not have the competence to deal with this matter. I am not going into names, but Wayne Smart is a man who played a lot of cricket and I applaud him for being on this committee. I want to ask: Why was someone from the Trinidad and Tobago Cricket Board of Control not put on this committee? Why was someone who represents Trinidad and Tobago Cricket Board of Control and the West Indies Cricket Board of Control not put on this committee? Why were they not admitted on this committee? Why someone from the Queen's Park Oval which has 200 years—there is one person on security which I will commend. There are managers, fine; and there is somebody on finance. I do not know who is the person on finance and the special projects. With respect to marketing, I know the distinguished young lady, Ann Brown, a former West Indies cricket player. I know her, but what about the other 11 persons.

Madam President, through you, hon. Minister, Guyana took the opportunity to include in their world cup committee members from the Opposition in Guyana to blend this thing together [*Desk thumping*] so that it could be purposeful and well thought out—everyone rather than a partisan approach to the matter. [*Desk thumping*]

Now, cricket belongs to everybody. Why was someone from the Opposition not included on this local organizing committee? It is not too late for you to make the changes. I am not asking to be included. I have served my time. I used to look after West Indies cricketers in the 1970s. If anything went wrong with them in

Trinidad, I was the doctor for them. I was not a gynecologist then. I took part in the West Indies Netball team. I also helped there as a doctor and so forth, so I do not need to be on that committee. We should have distinguished persons included. Why was Willy Rodriguez or Joey Carew not included on this committee? [*Desk thumping*]

Hon. Boynes: Would the Senator give way?

Sen. Dr. T. Gopeesingh: When you are winding up, Minister. I have a lot to say. With respect to dangerous weapons, the Bill talks about dangerous weapon being brought on the ground. Have we been able to determine what are dangerous weapons?

Now, the number of officers that are going to be deployed—this is for the Minister of National Security—will be a lot of police officers. I had the pleasure of going to a football game recently at the World Cup and they had people with sensors. You had to be searched. There were only two lines and people were backing up for a mile long. So, what arrangements is this so-called Local Organizing Committee of cricket going to put, as far as sensors are concerned? Are there going to be sensors throughout all the entrances? Are we going to have back-up lines for a mile and people trying to get in? Remember, you are not only going to be dealing with Trinidadians, but you are going to be dealing with West Indians and international persons. If you frustrate them, you could understand the negative repercussions that are going to be held in the international scenario. So, what are you going to do for the deployment? The Minister of National Security has to indicate what role he is going to play. How many police officers are going to be around these venues? How many police officers are going to be on the ground?

One of the important things that Sen. Boldon talked about was the training of these officers. He knows, as well as we know that some of the police officers are very uncouth and unmannerly. The majority of them are very good, but you find some of them very abrasive. Is the Minister going to take any particular attention to ensure that these police officers who are going to charge people and bring them for summary convictions are trained in dealing with people? They are going to be dealing with international citizens now, and not only Trinidadians and Tobagonians. They must be adequately trained. I think it is important that you pay particular attention to a special group of officers to be stationed at these venues; officers who are well-motivated and well-trained in dealing with the public. [*Desk thumping*]

Madam President on page 3 of the Bill:

“GCC’ means Global Cricket Corporation Pte Limited, a company incorporated in Singapore;”

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That Global Cricket Corporation is one of the stakeholders in this Cricket World Cup. The major stakeholder is ICC. The ICC has given it to the West Indies Cricket Board of Control; the West Indies Cricket Board of Control has given it to the nine countries. Global Cricket Corporation is one of the major corporations that has subcontracted to Sun Sport. Sun Sport is one of the groups belonging to the Moduck Group of Companies. Who would be looking at some of these sponsors? Pepsi alone has US \$38 million in sponsorship. So, if anything goes wrong in terms of Pepsi, who will be responsible for it? This is what we have been asked to sign as a host nation.

Global Cricket Corporation sued—the last World Cup was in South Africa—South Africa for millions of dollars and South Africa is still going through arbitration for that. We want to ask: What arrangement is the Government going to make in terms of legal action in terms of major corporations like Global Cricket Corporation taking legal action against a host country like Trinidad and Tobago, if we do not meet the requirements for their advertisements, et cetera?

It continues:

“‘match period’ means a period declared as such by the Minister under section 3 for the purposes of CWC 2007;”

We want to hear what the Minister has to say about what is a match period. He did not tell us what is a match period. Is it a day before the game, during the game, the day after or two days before and so forth? We want to know what is a match period.

“‘Minister’ means the Minister responsible for sport;”

Mr. Minister, is it you or is it Mr. Manning? It seems as though it is Mr. Manning who is responsible for sport.

“‘Security Directorate’ means the body convened by CWC 2007 Inc. in collaboration with the Committee with responsibility for safety and security in relation to CWC 2007;”

Who have met with the Security Directorate? Is it the Security Directorate of ICC of CWC 2007 Incorporated? Who is going to meet with them to discuss security details in terms of what is necessary for the hosting of our games?

Clause 3(1) says:

“The Minister, after consultation with the Committee shall by notice published in the *Gazette* and in at least one newspaper in daily circulation in Trinidad and Tobago—

- (a) declare any area within the control of the Committee or CWC 2007 Inc. or both, that is reasonably required for the staging of a CWC 2007 activity, as a CWC 2007 venue;
- (b) stipulate within the notice referred to in subsection (1) the date—
 - (i) with effect from which the area will be regarded as a CWC 2007 venue; and
 - (ii) on which the area ceases to be regarded as a CWC 2007 venue, which date may not be later than six months after the completion or termination of CWC 2007;”

Recently, there was a trial run, when a cricket game was played at the Oval. You are aware of that. There was a trial game to determine how the security arrangements will be made, and that was an abysmal failure. There were signs leading one way where people were going. It was not well coordinated.

I have an office close to the Oval—I bought that building because I wanted to see cricket and so forth. So, over a period of time, I could relax and go over to the oval and come back and see patients and so forth—but my street was closed off. I have a property right. I was being deprived of going into my area to park, but the police officers knew who I was and they allowed me to go and park in my place for a while. What about other persons? This basically conjures up the question of citizens’ rights. If they own properties around the Queen’s Park Oval, what areas are you going to determine are within the venue?

You mentioned that you are going to get permission for these persons. So, who is going to determine which building around the Queen’s Park Oval needs permission? Are stickers going to be given to these persons? You have a lot of work to do. Do you realize that it is only four months again for this thing to work? This committee has to work very feverishly, and if you have a sloppy committee, you would be responsible. Mr. Manning is going to blame you because he wanted to keep you out in the first place.

Clause 3(1)(b)(ii) says:

- “(i) on which the area ceases to be regarded as a CWC 2007 venue, which date may not be later than six months after the completion or termination of CWC 2007;”

Why is this six months? I thought the sunset legislation is for when the games are finished. This means not later than six months later, and is after the completion of the game. Why? We need to determine why six months? Are you going to hold up people parking for a six-month period after the match is completed? Not later than six months is too much. You need to change that.

“(c) declare a period as a match period.”

What is a match period? You need to explain that to the national population.

“A notice published under subsection (1) shall state the reason for the declaration, and shall be subject to such conditions as the Minister may impose.”

We want to ask: What are the conditions the hon. Minister may want to impose?

Madam President, we are being asked to pass a sunset legislation this afternoon where there are no declarations by the hon. Minister, in terms of where are the venues and what is a match period. So, I do not think it is fair—the Minister took so long to bring this Bill—to us to try to pass something here this afternoon, not knowing some of these intricate details and in less than 120 days the matches are going to be played.

“(iii) any private property, except with the consent of the owner.”

You said that there is a Mr. Derrick Jones who has come in to assist you and he has identified the properties. You must seek to determine which properties have been identified around the Queen’s Park Oval and around the University of the West Indies. If you have warm-up games in Balmain, Couva, you know that that place needs a lot of security. That ground cannot be brought to readiness in four months’ time.

Madam President, I played there recently and the ground is waterlogged. There are no toilet facilities, and you do not even have a place to sit. There is not even a pavilion there. So, do not include places like Balmain unless it is fixed. I know that this administration will not be able to fix that ground before these warm-up games are finished. You had two years to bring this legislation and to fix the Brian Lara Stadium and you could not do that, so are you going to fix up the Balmain Stadium?

Madam President, do you understand what is going on in this place? There is only glib talk, a lot of mouth, no action, plenty promises and no action. It is just like the budget. Plenty promises in 2002, 2003 and 2004. I feel sorry for the hon. Minister because he is caught in a war between a non-performing Government. I know he means well and he wants to perform, but he is being straddled. He cannot perform because of the incompetence of the bureaucracy around him, and the people around him.

Clause 5(1) states:

“The Commissioner may in relation to any match period issue directions to—

- (a) ...making of deliveries...
- (b) ...the loading or unloading of vehicles...
- (c) impose restrictions relating to the standing, stopping, or parking of vehicles within a CWC 2007 venue;”

Madam President, you will remember recently in a warm-up game, a junior police officer stopped a senior police officer, because the senior police officer was demanding to pass through a street, and the junior police officer was almost charged by the senior police officer for doing what he was supposed to be doing.

Now, food is going to be sold and clause 5(3) states:

“A person who contravenes a direction under this section commits an offence and is liable on summary conviction to a fine of thirty thousand dollars.”

So, some poor person who is going to make a delivery around the Queen’s Park Oval and the specific class of the vehicle was not known, that person is going to be fined \$30,000, because he or she was trying to unload or load a vehicle or make a delivery.

So, there are tremendous difficulties in terms of implementation. We must be shown to be a developed country. We want to be a developed country by 2020. So, why do we not start from 2006? They do not know what is going to happen in the next four years. The country has gone down the hill within a period of four and a half years, and they are talking about Vision 2020. We have not seen one thing for it. What is going to happen to these poor persons who are making deliveries or unloading goods? This is very critical. There is a \$30,000 fine for a poor man who is going to be making a delivery. This is what we are being asked to pass this afternoon.

In clause 6(2):

“No person shall, without the written authorization of CWC 2007 Inc. sell any CWC 2007 ticket...

- (3) For the purposes of subsection (2) ‘sell’ includes—
 - (c) barter or exchange;”

Clause 6(4) says:

“A person who contravenes subsection (2) commits an offence and is liable on summary conviction to a fine of sixty thousand dollars.”

So, if I bought two tickets and I want to exchange it with someone. If Sen. Mark bought two tickets and I want to exchange my tickets with Sen. Mark, this clause says that there is a fine of \$60,000, and selling includes “barter or exchange”.

Madam President: Hon. Senators, the speaking time of the hon. Senator has expired.

Motion made, That the hon. Senator’s speaking time be extended by 15 minutes. [*Sen. W. Mark*]

Question put and agreed to.

Sen. Dr. T. Gopeesingh: Thank you members of the Senate for the opportunity to speak for another 15 minutes.

The next issue is the work permit issue. Clause 8(1) states:

“Any permit to work in Trinidad and Tobago in relation to CWC 2007, and any approval or documentation required for such purpose by any—...

shall be provided by the Minister with responsibility for Immigration within 7 days of being requested and shall remain valid and effective until the conclusion of CWC 2007.”

I hope that the division looking after immigration can deal with the workload of thousands of persons who want to come within a seven-day period. What plans do you have to ensure that these work permits will be dealt with in a seven-day period? Again, it tests the competence of this administration.

With respect to import and export duties, clause (10) states:

“Income arising from CWC 2007 and earned by—

(a) CWC 2007 Inc., ICC and its members, IDI, GCC and WICB...”

Now, these are corporations and they will be earning a certain amount of revenues. What do we get from this, in terms of our people paying money toward it? What taxes and duties are we going to collect from this Cricket World Cup?

Sen. Mark: None.

Sen. Dr. T. Gopeesingh: It seems as though none. You may say that the other countries are doing it as well, but this is something that you may have to look at and bring up with the West Indies Cricket Board of Control and with the CWC 2007 Incorporated.

Clause 11 states:

“No person shall enter or leave a stadium during a match period except through an entrance or exit designated by CWC 2007 Inc...

A person who contravenes any provision of this section commits an offence and is liable on summary conviction to a fine of thirty thousand dollars.”

I have been a medical doctor for 33 years of my life, and being in cricket in the Queen’s Park Oval, I have had to rush to look after cricketers on the cricket field, and sometimes take them out of the Oval in my vehicle, and go through an entrance or an exit that is not an official exit. So if a person does that that person will be fined \$30,000. There are many entrances. Who is going to determine whether you have gone through the proper entrance or exit? There are so many difficulties.

Clause 12(3) states:

“A person who contravenes subsection (1) may be—

- (a) ordered by a police officer or an authorized person to leave CWC 2007 venue...
- (b) removed from the CWC 2007 venue...
- (4) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of twelve thousand dollars.”

Madam President, imagine you are going through a wrong venue or you are coming through a wrong exit, you are going to be fined \$12,000. Who is going to determine that? This is a penalty for nothing. You have to remember that you are going to have international persons coming down. I dealt with the necessity to train police officers and I hope the Minister of National Security is going to look at that matter.

The question with respect to if you have to be removed from a particular seat; some of these international citizens may be sitting on what they may consider their rightful seat. If a police officer tries to remove them and they do not move, that person is liable to another summary conviction of \$12,000. So, you see how difficult it is going to be. You know the type of police officers we have in

Trinidad and Tobago. They are going to feel that someone does not belong to a seat and try to manhandle that person—a foreign citizen—and then eventually charge that person. These are things that we have to take into consideration.

Madam President, clause 14 states:

“This section applies to the members of any organization, association, club or similar body or a person who has any entitlement in a stadium whether through the exercise of rights or otherwise.

(2) During a match period—

(a) a member referred to in subsection (1), is not entitled to exercise any right, entitlement or privilege of membership;”

Madam President, the Queen’s Park Oval has 3,000 members. I joined in 1973 as a member when there were many difficulties in segregation and so forth and, before that time you know what was happening with the Queen’s Park Oval; everybody knows. There are 3,000 members now and almost 50 to 60 corporate boxes. Suppose the 3,000 members bring a class action of deprivation of their rights as members of the Oval, or these corporate bodies who are being deprived of their corporate boxes and who have been paying almost \$150,000 for three years are deprived from that, they may bring a class action against an infringement of their rights as a corporate body or as an individual right. Who is going to be responsible for defending that action?

There is also the question of conduct within the CWC 2007 venues. Clause 15(1)(h) states:

“(h) operate or use a loud hailer, public address system or other broadcast device...”

Madam President, you know that the Trini Posse makes a lot of noise during cricket. Do they have to get permission before they use their microphones and so forth? If they do not get permission, what is going to happen? I am sure that you will have to ensure that something is done about that.

Madam President, do you know what is perplexing? The variation of the fines. I think the Minister made mention of this—if anyone commits an offence he is liable to a summary conviction of \$120,000.

There is the question of somebody using a microphone system. That person is probably going to be fined \$120,000. So, there are fines of \$30,000, \$120,000 and \$12,000. Who is going to determine those fines? Are the police officers in the

game going to say that you are going through the wrong exit, or you are coming through the wrong entrance, or you are sitting on the wrong seat, or you have committed a misdemeanor by having a speaker system? Again, do you see how many penalties are being levied there?

With respect to prohibited or restricted items, clause 16(1) says:

“No person shall, bring into or have in his possession at a CWC 2007 venue, during a match period—

- (a) any weapon or dangerous object or article capable of being used as a weapon;”

Well, we know they do not want knives, guns, bottles and so forth, and that is fine, but do you know that I can take a simple cellular telephone, and with the dexterous hands that I have in playing cricket, I can hit you straight on your head. Cellular phones are about three to four ounces in weight. You have to deal with that. What is going to happen with cellular telephones in the Oval? That can happen. You know how crowds behave. As I told you, I have seen it all. I have seen plastic bottles being pelted but, thank God, we do not have any bottles for these games. You have to ensure that the scanners are working efficiently.

Madam President, I want to come to the point of the medical issue. We know that our medical situation in Trinidad and Tobago is abysmal. When I go to Tobago, I worry if I get a heart attack, at this age, and what is going to happen to me. I know that you are going to be considered dead if you get a heart attack there. Our poor citizens in Tobago are deprived of basic health care and they have to be flown by helicopter to Trinidad and, by that time, they are going to be dead.

In Trinidad and Tobago, you have seen the screeching headlines on the newspapers—health is in chaos all over. These international citizens—when you have games that are close, people become excited. People have died as a result of heart attacks. That happened in Germany. You were there; Ato was there and I was there. What arrangements are being made for ambulances?

Recently, it was said that Arima Hospital does not even have an ambulance on a weekend. How many ambulances are we going to have around the cricket venues? [*Desk thumping*] We have 50 ambulances in Trinidad and Tobago. [*Desk thumping*] That was not considered. How many doctors are you going to have there? How many nurses are going to be there? How many paramedics are going to be there? This is a very serious situation. You have international cricketers.

Madam President, Nary Contractor was hit on a bouncer from Griffith in the 1960s, and Nary Contractor had to be flown to Barbados because we did not have neo surgery capabilities in those days. Now, you know that cricket is a dangerous game. I left cricket because I was nearly flawed with a bouncer from Norbert Phillip. I left in 1978 and decided to do post graduate medicine. I told the selectors not to consider me again. [*Laughter*] In those days we did not have crash helmets. I said to myself that I played enough for Trinidad and Tobago and it is time to go. I think that is what got me bald. [*Laughter*]

Madam President, sale of goods is an important matter and clause 18(1) says:

“No person shall, without the written authorization of CWC 2007 Inc.

- (a) hawk, sell, offer, display for sale or distribute to members of the public, any goods, services, flyers or pamphlets;”

There are persons who want to gain a livelihood and you have to tell the country what you are going to do.

There are many other clauses that we need to look at, and Sen. Mark will probably deal with them. I have reached clause 19 and there are 40-something clauses. There are many clauses dealing with the infringement of rights. [*Crosstalk*]

The other infringement of right—my colleague is going to deal with this in detail—is the question of videos and taking photographs. Are you preventing video cameras from going on the ground? Clause 24 talks about that. What are you going to do about video cameras being used to video tape a game and, probably, sold subsequently for some other reason and also cellphones?

Madam President, to conclude I would like to state that the cricket loving fans of Trinidad and Tobago demand an apology from the Prime Minister of Trinidad and Tobago for landing them just a nasty brown paper bag. [*Desk thumping*] I think the Prime Minister of Trinidad and Tobago should apologize to the national population. I do not know if it is that he does not know about cricket, or he does not know about a bat and a ball, and all he knows is about pocketing billions.

We demand that he gives a personal apology to all the cricket loving fans; an unconditional apology for what he has landed Trinidad and Tobago because of his arrogance and the temerity of this administration to say that they want the FTAA in place of cricket—they want to get Trinidad and Tobago to be supported for the FTAA headquarters in place of the staging of the Cricket World Cup final.

Do you know how many people in Trinidad and Tobago—almost 30,000 persons—would have loved to see a semi-final or a final match at the Queen's Park Oval? They cannot pay any money to stay in a hotel in another country so, therefore, they have considered everything being lost. So 30,000 cricket fans in Trinidad and Tobago are being deprived of what they have enjoyed over a period of 50 to 60 years, as a result of the incompetence of this Government, the arrogance of this Government and the high-handedness of the Prime Minister. Even today, he is talking of smelter No. 3.

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

Madam President: Hon. Senators, after that contribution, I think we all need to have a tea break. We will suspend for tea and we will return at 5.00 p.m.

4.30 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Sen. Prof. Kenneth Ramchand: Madam President, I thank you for giving me an opportunity to speak on this piece of legislation. I just have one particular question to ask about the Bill, but, like Sen. Dr. Gopeesingh in his heyday, I am going to take a long run up. Let me begin by congratulating the hon. Minister. After listening to him, I concluded that we applied for the brown package and we got what we wanted, so we should not complain about the brown package at all. We applied for it and we got it; that is what you would think if you listened to the Minister—I am not finished, I will come back to the brown package.

The second thing I want to do is to support Sen. Dr. Mc Kenzie's position that we note the Minister's admission of responsibility for not bringing this legislation in good time, and to affirm that we support the intent to complete the debate today for good reasons: support for West Indian cricket; support for the integration movement; support for our image and support for the interest and enthusiasm of so many fans and players in Trinidad. [*Desk thumping*]

I need to add, if I may, that I also support Sen. Dr. Mc Kenzie's plea that the attempt to make JSC Part II ineffective and non-functional by increasing the quorum from three to seven should be resisted [*Desk thumping*] and I am heartened by the spirit of cooperation in Sen. Joan Yuille-Williams assurance that she recognizes the gravity of this matter and will take it up in the proper quarters.

Hon. Senator: She said so?

Sen. Mark: Yes, she said so.

Sen. Prof. K. Ramchand: She said so. It is in the minutes; my thing is in the minutes; her thing is in the minutes; Sen. Mary King's thing would be in the minutes too.

The third item is to do like Sen. Dr. Gopeesingh and advertise some credentials. There is a poem by Derek Walcott in which he is agonizing about wanting to be the greatest writer in the world. But when he starts to think of all the giants he would have to compete with, he said, you know what, I am going to settle for being the greatest reader in the world, because to be a great reader you have to have awe; you have to have respect; you have to have appreciation. I am not the greatest cricketer in the world; my best figure is 4 for 7 and I always come out "not out" with about three or four runs. [*Laughter*] I am not a great cricketer but a great fan, and I have a strong personal interest in seeing this Bill pass today. But I am not happy.

The Minister sees good business prospects coming from the brown package, but I do not think anybody who loves cricket is pleased. I do not want to see Bangladesh. I do not want to see Bermuda. Sri Lanka, I could see Muralitharan again; I could see Jayasuriya; I could see Tharanga; those three. So I am going just to see those three. For India, I do not mind seeing Dravid or Dhoni or Kumble and I could go and watch India in the hope that Tendulkar make some runs in the West Indies. That is about my only interest in the teams that we have here. It is very poor rations for us.

I hope there are no television rights disputes. The Government says it is one of the greatest consumers of electricity. I hope the Government would not be eating up so much electricity that we would get power cuts during the cricket. I have to warn the Minister that if there are power cuts or if there are TV rights disputes we are taking back our forgiveness.

Madam President, this is a subject that almost every Trinidadian would want to speak about; the great cricket debate; what is going to happen and so and so. I am really sorry I would not get to see my team. So having expressed that, I hope without any kind of rancour, just setting it down, I have one specific question about the Bill. On page 27, No. 48 says:

"This Act expires on 30th June, 2007."

But on page 5, 3(1) where the venues are being discussed, it says that the Minister may declare a place a venue and say from when. But 3(b)(ii) says that the Minister may also say when the venue ceases to be a venue, which date may not be later than six months after the completion or termination of Cricket World Cup 2007.

First of all, I do not understand that and I want to know if the fact that this Bill expires on a set date, would make that statement there invalid. It expires on June 30, 2007 but here we are saying it is possible to extend it for six months after the completion of the tournament. So, I do not know if the Minister would be able to explain that.

Madam President, that is all I have to say and just to repeat my warning, I want some good cricket; I hope the TV will be working.

Sen. Raziah Ahmed: Thank you for this opportunity to speak on this memorable occasion when we bring into being by virtue of force, the ICC Cricket World Cup West Indies 2007 Bill, 2006. I have a very short contribution but I want to recognize that the Minister, in his presentation, indicated that one of the reasons for the urgency is so that we could capitalize on widespread economic gain as a tourist destination, et cetera, et cetera; his need to deliver on the Host Venue Agreement and that this is really an enabling agreement and I found that very impressive.

With respect to ambush marketing, I thought that I could probably design a t-shirt that says: "Somebody went to Jamaica and brought back a brown bag for me", but I now know that I would have to get licences and so on, which might be very expensive and I would probably only sell those t-shirts to some people.
[Desk thumping]

I want to focus on the first schedule on page 28 of the document that we were presented with and that schedule refers back to clause 7 which indicates those persons who are exempt from the normal visa entry and customs regulations in moving around between the nine venues and what other venues there might be for the World Cup Cricket.

I am focusing particularly on the exemption made specifically to Members of Cabinet. I want to suggest that this is a partisan measure to single out Members of Cabinet among which there are persons who are not elected by the people, and to leave out elected Members of Parliament who represent constituents. I believe it is a partisan measure to include only Cabinet members who are exempt from the strict regulations with respect to entry and exit from countries, customs, immigration and so on. Only Cabinet Members and other Members of Parliament are being treated very, very shabbily, especially elected Members of Parliament. So, I want to urge the good Minister to reconsider that that category be extended to all Members of Parliament and not restricted to Members of the PNM Cabinet.
[Desk thumping]

Secondly, I am concerned about the Anti-infringement Programme, that this tweaked Bill does not speak to things like Internet infringement and how infringements are going to be monitored. For example, which law firms have been hired to deal with the whole process and the construct of infringement, especially with respect to the rights of those persons who have paid, sponsors and so on, and the fact that on the Internet a lot of information could be carried and sold almost immediately. I would be happy to know who is monitoring; which of the law firms that have been hired and what is the process.

Also, who is going to monitor compliance?

Hon. Boynes: May I just ask you to repeat that last thing. What clause exactly are you referring to? I just want to take the point seriously.

Sen. R. Ahmed: With respect to the Anti-infringement programme, what I was saying is that I did not see the Bill speak to that construct. Internet marketing; Internet sales is a big thing; we are dealing with an international event where the bulk of the communication is going to be on the Internet. I understand that the global body has their Internet infringement programme, law firms and so on. Have we contracted locally; which of the law firms have we contracted and what is the process to monitor the infringement?

Also compliance; who is going to deal with the rights of compliance and protecting our interests because these laws, especially the ambush marketing laws are very, very widespread.

Thirdly, the public information awareness programme. Yes, we are hearing a lot about the World Cup but, to date, we are not sure what is happening at the various venues. Have the vendors, our small entrepreneurs been informed; is there a public awareness programme to let them know that they have to apply for licences? What is the time frame?

Is there a public awareness programme to let them know the kind of remedies or the kind of fines that would be imposed on them if they fail. So when is the public information awareness programme going to begin? Finally, accountability to the public of Trinidad and Tobago with respect to the costing of this event.

Madam President, I thank you.

Sen. Brother Noble Khan: Thank you, Madam President. We missed you for a few days but we welcome you back here. Allow me please to have a few words on what is before us here, the ICC Cricket World Cup West Indies 2007 Bill, 2006.

Indeed, I think cricket is one of the greatest sports of the world and it has so much to offer to us in introspecting and in developing sport as one of the great trainers of the human spirit. Now, I think this is the first time it has been said by our Minister, the question of such a big event being hosted here in the Caribbean, though we have been playing cricket for quite some time. It is part of our colonial heritage and we have by far asserted ourselves, like in so many other areas of sport; even the small twin island state and indeed, having our own Sen. Ato Boldon with us here today, evidence is that at the highest level—not only our Sen. Ato Boldon but also our Sen. Dr. Tim Gopeesingh.

There is a connection with me with both of them. I grew up in the same area with Sen. Boldon's father and we have a friendship that still continues. Dr. Tim Gopeesingh, he did make reference to the Jamaican connection in 1973, in particular and I was fortunate to be there when he led the University of the West Indies team at Mona against the Australians and he made us feel proud then, even as he continues up to now on the field, outside his profession and whatever area he is known to us. He had a good right hand; not as fast, but good control over the ball. I do recall, it was quite some time, particularly two of the top batsmen from Australia did return to their pavilion, so to speak.

As we come here and the world advances and what is before us, there are some things that occupy my mind and coming soon after yesterday to today, I think it might be very relevant for me to bring it to our attention. I do not know if we can do anything about it here, but obviously it would at least bring to our attention certain things which may have slipped us—it might be deliberate or what have you, taking into consideration the skills displayed by our Attorney General; I do not think it may have slipped him—and that is the question of accountability.

Our Prime Minister had made a very sterling plea of accountability within the framework of what we are about and it was against a background of the Caribbean area too; when he made reference to the Caribbean Court of Justice (CCJ), the judiciary system. It is against this background I would like to bring this to our attention. In the document in the matter that is before us, clause 6 makes mention of, “would provide for the sale and distribution of tickets” and later on in clause 10, “income arising from CWC 2007”, et cetera as it was displayed. So it does bring that element of financial effects that would be emerging out of this document on the table. My own feeling too, I do not know if they see this document is legitimizing a group in the Caribbean area to pursue a certain activity, to wit, cricket and allowing the framework to exist in which they can take part, even as the law has said in this introduction.

This might be fraught with inconsistencies when it comes to negotiating across the table. I have mentioned in the past here that sometimes when we go up—and I say "we" small island states as we are and Trinidad might be on the better side of that. But basically, we are at a disadvantage when it comes to negotiating against the bigger powers that be and better equipped organizations that might exist. What was the benefit? I think some reference has been made today towards what benefit accrues through our affording this game to be played in the Caribbean area. I do recall hearing some very substantive figures of US \$550 million and that I guess may filter down.

Hon. Boynes: Yes.

Sen. Bro. N. Khan: Okay, okay. Whatever it is; the concept I am dealing with. Thank you, Minister. How much and how was this negotiated? What are we giving for this? What do we hope to achieve? Of course we have the tourism thrust; the question of establishing our identity and many of these other items that might be difficult to put a monetary value to, but having this makes us proud and puts us on the world map, so to speak.

Again, one cannot escape the benefits that ought to be accrued and how was this US \$550 million negotiated; this amount that is filtering down to us. This is an important factor. Though we set up the framework here, it seems to be that we do not have control over what is taking place per se within the framework of the cricket body and what it proposes to do. Because I was looking in my own little limited way at the population to which this game would reach out.

The Caribbean does not have many people; we may attract some to come to the match, but by far I think that in this day of instant communication, when you take India, Bangladesh, Pakistan, if we were to look at population wise, we have gone into the billions. England, Australia and whatever remains of the cricketing world is a substantial number still and I strongly suspect that these games would be beamed to these countries where TV and what other media that may exist, and it is through this method that you find that possibly substantial earnings will be derived through the holding of this game here.

One could expect that, because basically I do not think they are doing it just for the love of the game; they might explore their love for the game to put it on the world map and also into people's pockets. The extent to which that goes, a big question mark could arise. People are the world and I am sure we could remember not too long ago, it was earlier this year, when the Football World Cup was being held and many of the stories and fables that may have trickled down to us, insofar as the substantial funds that are involved in sport.

To this extent, the question of accountability being part of it; one, because this is our country enabling this to take place; we are also part of the cricketing world so to speak, so we would have representatives in it. I seem to take a little note here of GGC, and this is the mechanism through which the funding might be coming, if I have it correctly. How are all these interrelated and how do they link with what we are doing and which finds expression in this document? We are part of it. We are putting our country and providing services and to my mind it does have within it even a sort of check with letter saying if they come to Trinidad and Tobago this document— Maybe there are other laws and possibly we may be covered by it but it does have a terminating date as far as the efficacy of this law is concerned or the existence of this law will be up to. This Act expires on June 30, 2007 and it does set the framework.

One wonders if after this date, if there are litigations or things that may arise; dealing with business transactions or what have you, what will be, in respect of this enabling legislation; things granted or provided for under this legislation. What is the position after that date? These are some of things that occupy my mind.

Also, the feedback that would come to us by way of the moneys that would be derived out of it. Are we part of that? How do we share in that? If we are not in it—I only learnt of US \$550 million today. I did not know anything of it before; perhaps because of the denseness of myself and possibly because it was just not available. These are some of the things that occupy my mind with respect to this.

Indeed it seems to me that the attempt to have the game going and to bring us into the forefront are all well and good. Again, like so many other developmental projects—and this could be looked upon as a developmental project or putting ourselves on the front burner of sport, participating and sharing in it—one gets the impression very often that—I think the Americans have a word for it; I think it is “fall guy” or something like that; where they set you up; they take what they have to get and you figure you are getting good and when you really look around all you could end up with is a grin on your face and they gone with it.

These strategies and techniques are known to people in Trinidad and Tobago and some would say that we, too, have developed our own brand at that. They would say too, I guess, that you should be able to protect yourself; very often that is the case. I do recall looking at a document not too long ago where they listed about ten areas within modern times that people continually fall into traps in as far as being gyped or being outsmarted, because the Americans have a saying: "A sucker is born every second" or something like that.

That being so, to set up yourself as one of that; we always like to think that we are smart and we ought to be aware. One wonders with so much money playing around, where we fit in against that background. It seems to me that there is always somebody around who you could swing on your side while the whole train gone down the road with the balance.

These are some of the things that come to my mind and I do not think that many of our people outside there—these points that I am raising—are unaware of them. And they definitely look forward to seeing us who they have put into positions, to ensure that at least these attempts are minimized. Do not, on the other hand, set up a programme whereby the reverse may happen.

Very often we may make pious attempts and refer to things around us and there might be very hysterical denial in these areas, but one would say, Madam President, in the question of it being engaged in negotiation, is it that very often we might be with the wrong people and pursuing the wrong things; this is not beyond what is before us here, because I have said before and we know it is a question of the conduct of the CWC 2007.

I do not know if our Minister of Sport and Youth Affairs could have replies to what I have raised; it might be very flighty; it might be very difficult to pinpoint, but I have shared my thoughts, not because of being grim or thinking in terms that we should not go this way, but in bringing and reminding ourselves that these things exist and in any attempt of going through a matter such as we have before us, the question of being well thought out; the question of allowing it to be highly participative. These are some of the things that I think will help to minimize these negatives which I am sure exists and will definitely appear when matters such as these come before us.

Allow me again to express my thanks, Madam President, for sharing these few words with you.

5.30 p.m.

Sen. Wade Mark: Thank you very much, Madam President. As our country races to beat the November 2006 deadline, the murder rate continues to escalate. *[Interruption]* I want to say from the outset, I would like to extend my profound condolences to the family of young Permanand Persad, and Sugar Aloes' son, who were both murdered in the last 48 hours and we extend our condolences to their families.

Madam President, we all love cricket, we all love West Indies Cricket and we all look forward to the ICC Cricket World Cup in the region very shortly. The Bill before us which is being rushed as a result of this Government's inability to

manage that administratively; simple matters; the Bill contains several draconian provisions which because of its sunset nature we may tend to overlook, because we all want to enjoy and for the region to gain in prominence and for its image to rise, we would do as little as possible to bring about any kind of instability towards that objective.

Madam President, the fact is that several clauses in this Bill—and I will try to walk you through these provisions—violate the rights of citizens in this republic. The fines are oppressive and harsh and what is even more alarming and disturbing and it is worth informing you once again, there has been little or no public education or sensitization by the authorities, be it LOC, ICC, the Government of T&T to really inform the citizenry of the potential dislocation, deprivation and other unspecified arbitrary invasion that they may be subjected to as a result of these measures we are addressing today.

The Minister has admitted, and I have seen in the research that closure was brought to the model legislation that would give rise to what we are debating here today, since April 07. Barbados, that small nation, that nation that leads the entire region in terms of intellectual leadership in many respects, and you see in terms of efficiency, organization and order, I do not think any of the Caribbean countries could match Barbados. They were off the block first; they were the ones who passed this law since in the month of May. Small St. Kitts and Nevis they followed months later or thereabout but Trinidad and Tobago the “energy tiger”; this “energy tiger” of the region, we are scrambling a few hours before midnight. Is it Halloween? [*Laughter*] [*Desk thumping*]

We are scrambling a couple of hours before midnight to pass this legislation. What kind of planning is this, on the part of this administration? And my dear friend the Member for Toco/Manzanilla, anyway, the hon. Minister of Sport and Youth Affairs has thrown his entire body over the table [*Laughter*] and he has said, “Please forgive me”. The reality is, even if I would like to, even partially, extend some kind of sympathy to my colleague, I ask him, why have you brought legislation here and no regulations? [*Interruption*] Madam President, I want to draw the hon. Minister's attention to the clause that deals with it. Let me deal with the clause that deals with regulations.

Madam President, go to clause 46(2) of the Bill and in the heart of the Bill:

“The Minister may make regulations prescribing matters—”

And all these matters that have been identified, you will have to make regulations for them. The reality is, in the heart of the legislation which I will draw to your attention, there are in fact, clauses that make reference to

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regulations, so what maybe—I want to deal with that a little later on, but any regulation should be subject to an affirmative resolution of the Parliament. But we will deal with that a little later, Madam President.

So we are being told that the Minister is supposed to make regulations to give effect to this legislation, but there are no regulations before us, a couple of hours before midnight.

There are some provisions in the legislation that require clarification. I will give you an example of this particular aspect of my contribution. I invite you to turn to page 3 which deals with dangerous weapon and I want you to go to (j) and it reads:

“such other object as may be prescribed as a dangerous object and set out...”
[*Interruption*] We are dealing with the interpretation section and it talks about:

“such other object as may be prescribed as a dangerous object and set out in regulations made under this Act...”

So where are the regulations to guide the police in executing their duties under this particular provision of the legislation? So we are buying cat-in-bag or is the Minister asking us to give him a blank cheque to do whatever he wants to do, to define whatever he wants to define as a dangerous object? I believe that if you are bringing legislation to Parliament and rushing it as you are rushing it, at least, there should be a minimum level of courtesy and respect to allow the Parliament to rifle through the regulations so we can help the Government and by extension, the country, ensure that we have a very successful world leg or world cricket level of responsibility. [*Desk thumping*] But, are we going to be called back here, are we going to be called back later on to view these regulations? I do not know, because I am going to make amendments. I am going to propose amendments during the committee stage.

I want to emphasize again, the need for the Government and the Minister of National Security, in particular, to take the question of training very seriously. Maybe, Madam President, we need a programme of retraining for our police officers. Do we need a special squad of about 400 or 500 officers who would be dedicated exclusively to that particular leg of this particular tour? Because we want to make sure that based on the information on the website, we are told that we are going to be having at least 100,000 unique visitors to the Caribbean. They used the word “unique” so maybe they are coming from all different parts of the Caribbean [*Interruption*] Listen, they are going to come here too. They are bound

to come here, Bangladesh is going to be here; Sri Lanka is going to be here; there would be people who will be here. So I would like to urge the hon. Minister to take this particular advice seriously and try to ensure that the police is organized and trained to properly handle this particular inflow of visitors because they have very critical functions to perform.

And as I am on this question of the police, I would like to ask the Minister of National Security, because we cannot afford nepotism, favouritism and abuse of power by the police in this situation. It has been brought to my attention, a particular development—now you know everything I read I do not believe, that is why I ask for clarification—[*Laughter*] [*Desk thumping*] It is Friday, October 20, 2006, pages 4 and 5 the headline reads: “Resign now...Trevor Paul...cry Tobago officers as top cop linked to release of charged big boy”. [*Interruption*] No, I am dealing with the question of the role of the police. The police have a very important role to play and we want to make sure that the police in executing their duties carry it out fairly, impartially and independently, and if the police cannot carry out duties involving their own officers, how are they going to deal with the ordinary man and woman in this country? I just want to ask the Minister of National Security whether he is aware of this development. [*Interruption*]

I have in my possession charges— [*Interruption*] No, this was sent to me and I want to make it available to you, where a particular police officer was charged, and it is here in black and white, signed and I am going to pass it to you and the newspapers. And the Commissioner of Police after this man was charged ordered this man released. I want to know if you know about it and what are you doing about it? I call on you, as Minister of National Security to launch an immediate investigation into this particular matter in which the Commissioner of Police is being accused of releasing a police officer who has been charged.

Sen. Yuille-Williams: I rise on the point of relevance of what he is saying to the [*Inaudible*]

Sen. W. Mark: I know the police and I am going—

Sen. Yuille-Williams: No, no, come on Sen. Mark, you know that is not—

Sen. W. Mark: You know it is true that is why you are talking about relevance.

Madam President: Okay, okay.

Sen. Jeremie: Madam President, this is not the first time this Senate has been used or abused, or privileges have been abused to impugn motives to hard working police officers who are outside there given what is going on with the crime wave—

Sen. W. Mark: I am asking a question!

Sen. Jeremie:—facing bullets every day on behalf of us inside here and I just have a difficulty because I know that these police officers are [*Interruption*] working hard. I will investigate any matter which comes to me dealing with corruption.

Sen. W. Mark: Ooh, with corruption!

Sen. Jeremie: Which is what I have to deal with. Corruption also involves, Madam President, police officers. [*Interruption*] I have a difficulty with us using this forum where the Commissioner of Police is not present to launch a tirade against him.

Sen. W. Mark: I asked a question; answer the question!

Madam President: Okay. Sen. Mark, you started by talking about the police and I think you have gone a bit overboard by bringing the Commissioner of Police into—

Sen. W. Mark: I asked a question.

Madam President: I know, but the article, really, has no relevance to the Bill. It may have been—what you were saying about the security matters and making the point that the police have to be trained to be fair and whatever, that was a good point but I think you have gone overboard, okay. So please, get back.

Sen. W. Mark: So I call on the Minister to investigate this matter. You! The Attorney General, you like to investigate corruption, there is corruption in the police service; you investigate it!

Madam President: Sen. Mark!

Sen. W. Mark: Anyway, Madam President, let me continue my contribution here this afternoon. I go to clause 3(1) of the Bill and I want to indicate that—Madam President, if you look at clause 3(1) you would see:

“The Minister, after consultation with the Committee shall by notice published in the *Gazette* and in at least one newspaper...”

I am making an amendment; I am suggesting that an amendment be made here, through you, Madam President, to the hon. Minister; instead of one newspaper we have a number of dailies, at least about three. I think, we have *Tobago News*, I think that we should have one of the notices in the *Tobago News*; we should have one in two daily newspapers here, because of the seriousness of the measure that is before us. So hon. Minister of Sport and Youth Affairs, I would like you to consider this particular proposal as it relates to amending clause 3(1).

Madam President, we continue with clause 3, again, the police will be given extreme powers under the legislation to deal with matters of road closures. We would like to know what kind of notice or notification would be given to the public, way in advance of actions being taken by the Commissioner of Police, in this instance; we would like to know.

If you look at clause 4, you will see where:

“CWC 2007 Inc. shall, for the duration of a match period have full and unrestricted control of a venue...”

Again, we do not understand what that means. We need to clarify these matters; when it is said, “full and unrestricted control of a venue”, and the venue is to be determined by the Minister and the Minister will issue a notice and regulations have not been published. Where does it end? Where! A venue and its environs could be extremely broad, all encompassing and therefore it can have implications for people’s rights and movements. So I think this is an area that we would like the hon. Minister to deal with. My colleagues have already spoken about the small business entrepreneurs and the residents, so I would not detain you on that matter.

Madam President, clause 8: “Work permit”; we have been informed, and I went on the net and I downloaded something from *Travel Daily News* dated October 30, 2006 and the article is dated Wednesday, July 12, 2006; it is entitled: “Historic CARICOM measures for cricket world cup”. Now, I will read excerpts of this for you, when the hon. Minister of National Security rose, he did indicate that:

“Caricom...had taken...a decision to officially designate the nine Host Venues plus Dominica as ‘one domestic space’ from January to May, 2007, eliminating the need for persons to be processed through immigrations and customs during the period.”

under review.

It goes on to talk about the movement of people through these nine countries would be safe, fast and fluid, and it goes on to tell you that you may not even require a passport to move from one country to another country because that was an agreement arrived at involving Caricom Heads:

“The travelling public will not be required to have their passports ‘stamped’...”

So you would have a passport but it would not be:

‘stamped’ to clear Customs and Immigration once you are coming from any of the ten countries in the single domestic space.”

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I raise this in the context of the “work permit” and I think there was a section that dealt with visas, also. If we are talking about one domestic space and we are saying that people can travel within those 10 countries without any hassle, their passports would not be required to be stamped, I was trying to reconcile that with provision 8(1), where, for instance, we are being told that you will have to obtain a visa; you will also have to obtain a work permit.

Barbados has a piece of legislation which I have a copy of that is called the “Pre-clearance Bill”, where they are going to designate a particular area of Grantley Adams International Airport as a pre-clearance area. It will be zoned off and there will be pre-clearance officers who will be trained to deal with persons who are coming to Barbados on the occasion of the Cricket World Cup series. I will like to know whether our immigration officers and our customs officers are going to be specifically trained to deal with this particular aspect or whether it is going to be business as usual when people come to Trinidad and Tobago.

Barbados has taken the lead in bringing special legislation and having it passed in Barbados on pre-clearance, and I bring this to the hon. Minister’s attention because I think it is very important because persons are going to be coming here to take in the warm-up games. What kind of provisions are we going to put in place at our airport to facilitate smooth entry and exit of our visitors to our country? I think it is an important area and if you want a copy of this legislation I can always make it available along with the charges that were made. So that is an area that we would like to bring to the hon. Minister’s attention.

Madam President, again, maybe the hon. Minister of Sport and Youth Affairs could tell us, what has been the estimated calculation of the value that we would derive as a region from this particular tournament? Is it going to be US \$1 billion, as the case may be, because as you would see under clause 9(1) “duties”; anything you import you do not pay. So you are exempted from import and export duties and a number of other things like taxes; you do not pay taxes whilst you are here and they have categories under schedule 1 or 2 that this would apply to.

I want to go to the question of security briefly, because I want to say that this Government, whether it is the Minister of National Security or the Attorney General, and I dare say, my dear friend the hon. Minister of Sport and Youth Affairs, I do not believe that they have been sufficiently upfront with the people of this country. Madam President, 100,000 persons are expected to visit this country.

Sen. Joseph: The region.

Sen. W. Mark: Well the region rather and they will be coming to Trinidad and Tobago, but Madam President, it must be logical from the 100,000 persons that are coming to the region some will visit us.

Sen. Joseph: Yes, but you are saying 100,000 coming to Trinidad.

Sen. W. Mark: No, I corrected myself by saying 100,000 coming to the region, but I am saying some would come to T&T. *[Interruption]* All right, why are you so impatient and intolerant? That is why you wrote a letter to the Attorney General because a radio talk show host criticized you. *[Laughter]* You are impatient!

Sen. Joseph: You did worse than that, you closed down a radio station.

Sen. W. Mark: You must never do that; take your blows. Take your blows! You are non-performing; take your blows.

Madam President: Sen. Mark!

Sen. W. Mark: Thank you, Madam President, I am finished. I was a Minister for five years. I never—

Sen. Dumas: Mark, you just close down the station.

Sen. W. Mark: I have been criticized left, right and centre and I have never written a threatening letter to a member of the media. Never! Anyway, Madam President, let me go on.

Hon. Member: They fired you and disbanded the Ministry.

Sen. W. Mark: That is no problem, but I “ain’t” write “meh” brother.

Sen. Dumas: They close down the station.

Sen. W. Mark: I never wrote. Although I know that you are Bilaal Abdullah’s brother-in-law, I have no argument with that. Sorry, Madam President. *[Laughter]* *[Crosstalk]*

6.00 p.m.

Madam President, let me indicate that I read something from an article, *Tempo*, which I got from the net. We recently had a visit by the Homeland secretary and what was disturbing about this, our Attorney General tells us one thing, and the gentleman who came here said something else in an interview. So,

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we have 100,000 persons visiting the region and we are being told that this particular measure that is supposed to be debated next week has nothing to do with cricket. I am accusing the Government of misleading the Parliament and misleading the country.

Sen. Jeremie: If you would give way? Sen. Mark, really, all that I said was that the Agreement which Mr. Cheertoff signed with Caricom States was yet to come before the Parliament, that is all I said. I am not misleading anybody. I think you should apologize for once in your life.

Sen. W. Mark: No, I am not apologizing to you. What am I apologizing to you for; you mad or something?

Sen. Jeremie: That is your modus operandi, arrogant and—

Sen. W. Mark: Nah, nah, nah.

Madam President: If both of you were not standing, then, I would not have to stand.

Sen. W. Mark: Sorry, Madam President.

Madam President: You are both two senior Members, you should know better. So please continue.

Sen. W. Mark: Madam President, I want to quote something for you, this remark is being made by the Homeland secretary. As a result of this signing ceremony, it is stated that an advance passenger information system will be established whereby information would be passed on to the United States on persons who would be coming through this region during the period March to June or March to April, 2007.

Madam President, I believe that when we are dealing with these matters, we should indicate that there is a connection between this memorandum of intent that was signed between the Homeland secretary and the Caribbean Member States as it relates to cricket 2007, and that is the only period of time that that piece of legislation should last in Trinidad and Tobago, in particular. But we will have much more to say on that later.

Madam President: [*Inaudible*]

Sen. W. Mark: Yes, I know, Madam President, it is coming. I am very anxious for it to arrive, that is why I am anticipating, but I know that you cannot.

If you look at clause 15(1)(j), anyone who:

"act or conduct himself in such a way as to

(ii) interfere with any person taking part in a CWC... activity;"

What does that mean, interfere with any person? That is as broad as it is wide. What does that mean? This thing calls for a lot of training so that people would not abuse their power. I am saying that you are giving sweeping powers to the police to effect this legislation and the public is not aware; the public is not educated; the public is not trained in this regard. I am suggesting that the powers that are given to the police are very broad, very wide and very sweeping and citizens of this country need to be brought up to date with these measures.

Madam President, if you look at clause 16(4), at the fines, it states:

"A person who contravenes subsection (1) commits of an offence and is liable on summary conviction to a fine of one hundred and twenty thousand dollars."

Madam President, I find that the fine is too harsh.

Hon. Senator: Really?

Sen. W. Mark: I find so, particularly in a brown paper bag environment. I find the fines are too harsh. Look at 18(1), small vendors, hear what it says:

"No person shall, without the written authorization..."

Nowhere in this law or in this Bill is there a provision that outlines how someone must proceed in seeking permission or approval from the relevant authorities to engage in selling one's wares within the venue. I expect those things to be outlined in the regulations, but the regulations are not before us. So, Madam President, what this measure is saying is that:

"No person shall hawk, sell, offer, display for sale or distribute to members of the public, any goods, services, flyers or pamphlets..."

And it tells you that if you contravene this, they will fine you \$12,000. So, what kind of provisions are we making to allow our local entrepreneurs to enter those venues? What provisions are we putting for them, because remember these people who are coming to Trinidad and Tobago—we have no problem—are not paying duties; they are not paying taxes, so how are we to benefit as a nation from this particular matter that we are going to enter into? So, I would like the hon. Minister to tell us, how will the small man, how will the small entrepreneur benefit, the nuts man or nuts woman who we see all over the place, how will he or she benefit from this?

Madam President, I would like to know, how is written authorization obtained or secured because there is nothing in the legislation that tells me, or tells him. Would the Minister be putting out full page advertisements from next week to tell for instance, the small vendors how they must go about applying to gain entry into those venues? We do not know.

Clause 21(1), again, in the area of advertising. Look at the draconian provisions here and it states:

"A person who is the owner or occupier of, or the holder of a lease or licence relating to land, a building or structure on land within a CWC 2007 venue shall not cause or permit any advertisement or advertising material to be displayed or fixed to or placed on, or to remain on the land, building or structure except as authorized in writing..."

Madam President, how are these entrepreneurs who have their bars and their outlets, how are they to know this? You know, Minister, that if you go to the Oval, people are expecting customers, they want to have their places organized so they put up some advertisements, but they do not know because it is in the law but nobody is interacting with them. So how are they to know?

I am saying, people's rights are being infringed and citizens are not aware of these developments. I call on the hon. Minister to immediately embark on a programme of public education and sensitization. We need to educate the public, so people will know what they can and cannot do, because people can be innocently jailed; people can be innocently arrested and fined because of the lack of knowledge, lack of information and ignorance.

Madam President, again, if you go to 24(1) of the legislation, the media—real restrictions for the local media. I must indicate something to you. The media and I have not heard a single word emanating from the lips of the Media Association of Trinidad and Tobago, but in Jamaica, they had to make some amendments in the legislation because the Media Association in Jamaica recognized that the local media industry was being kept out. But as I said, too many restrictions on the news media here. The entire clause 24 deals with restrictions on the media in this instance.

If you look at clause 25(1) again, "ambush marketing", my colleague referred to it earlier in his contribution. How are citizens to know that they should not display a particular brand? I go to the Oval and I have a brand, I am not aware that there are restrictions to this brand, a police officer restricts me or says, "Listen, take off that jersey." What is going on? Whilst we support the

tournament, whilst we support World Cup Cricket, we are saying that there are provisions in this legislation that infringe on the rights of the citizens and we need to educate them and let them know what they can and they cannot do. There are serious provisions here, we have to educate the people and the only reason the Government is being saved here is because of the sunset nature of the legislation and that is why I am waiting for the Attorney General and the Minister of National Security next week.

Sen. Jeremie: You do not have to wait on me.

Sen. W. Mark: No, I am not waiting on you, I am waiting for you to introduce the legislation.

Sen. Jeremie: It is not mine.

Sen. W. Mark: Okay, the Minister, my good friend. If you look at clause 25(2), it states that no person in relation to this World Cup Cricket will be allowed to:

“use or cause to be used, a mark, image, statement or brand in a manner calculated to achieve publicity for that mark...”

How would I know that? How would I know? And you are telling me that if I display such a mark—

Madam President: Hon. Members, the speaking time of the hon. Senator has expired.

Sen. Jeremie: Madam President, I beg to move that the speaking time of the hon. Senator be extended for the maximum of 15 minutes. I am enjoying it and I have very little to do.

Question put and agreed to.

Sen. W. Mark: I always know, Madam President, that you must be aware of Greeks. [*Laughter*] Those people who bear false gifts, you must be aware of them. I do not expect my enemy to be very kind to me, but I am grateful nevertheless. I thank you very much for rising, Sir.

Madam President, let me continue, clause 26(1). Now we are Trinidadians, you know how we operate here. Clause 26(1) states:

“No person shall use a ... ticket in relation to any form of commercial activity or as a prize in any lottery, competition, game or promotion ... written...”

Madam President, you know fellows like to gamble. So in other words, the number of strictures that are being placed on the people of Trinidad and Tobago in this legislation is a daunting exercise. I did draw to your attention the whole question about tickets. I think that Sen. Dr. Gopeesingh also drew that to your attention. Again, wherever you go to the fines, the measures are very oppressive.

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I believe that what we need to do and what I see as a common thread throughout these provisions in the legislation, is a lack of public education and sensitization. I think that is a common thread because of the implications, people need to know what is taking place. So, I want to urge my colleague to address that issue.

Clause 32, states and again it is intellectual property rights and protection here. If you look at 33(2), it says:

- “(a) the provision of information’ includes a reference to the reporting of news and the presentation of current affairs; and
- (b) ‘criticism’ or ‘review’ includes a reference to criticism or review—
 - (i) in a newspaper, magazine ...
 - (ii) in broadcast ...”

How does this provision relate to the media industry in Trinidad and Tobago? Hon. Minister, I would like you to clarify this particular provision for us, how is this provision going to impact on the local media industry?

Madam President, when we go to remedies in relation to clause 39, I am seeing where we are advising the court—the court may make an order under this section whether or not an injunction is granted under section 39.

"Where the Court makes an order under this section, the person against whom the order is granted shall bear the expenses occasioned by the order.

Madam President: Give way to the Procedural Motion.

PROCEDURAL MOTION

The Minister of Community Development, Culture and Gender Affairs (Sen. The Hon. Joan Yuille-Williams): Madam President, in accordance with Standing Order 8, I beg to move that this Senate continue to sit until the end of the debate of the Bill before this Senate.

Question put and agreed to.

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Sen. W. Mark: Madam President, I am sorry that the hon. Sen. Dana Seetahal, S.C. spoke before me, but I do not trust the Attorney General for clarification on matters, he is very biased and partisan.

Sen. Jeremie: [*Inaudible*]

Sen. W. Mark: Okay, he is not biased, Madam President, I would withdraw it, he is a good chap. Good chap. You are not biased, you are a very good fellow. May I continue?

Madam President: Yes.

Sen. W. Mark: That is my friend, he told me not to come to his funeral. He said, when I die, do not come to my funeral, but I told him I am invading him. All right, I told him that, so we are good friends.

I want to get clarification on this provision, 44(3):

"Where the Court makes an order under this section, the person against whom the order is granted shall bear the expenses..."

Is the Parliament being asked to take on the role of the Judiciary in this manner? Why are we putting such a provision in legislation? If I take action against a particular individual or organization, why must they put in the legislation that I must bear the expenses if I lose? That is for the court to decide.

Sen. Jeremie: You could always choose.

Sen. W. Mark: No, the court must decide that. I do not think that should be in legislation, let the court decide that, we must not decide that for the court. So, I am asking the hon. Minister to consider deleting that particular measure.

I made reference to exemptions and I do not understand why there are inconsistencies in the legislation. When I looked at the Barbadian legislation on pre-clearance, the following persons are described as "prescribed passengers": member of the participating teams as determined by CWC, officials, staff and advisors, sponsors, suppliers of products or services, umpires and match referees, members to the media, aircraft crew members, spouses and their dependants as well as other persons identified.

When I look at our schedule, I see Head of State, Heads of the Government, former Heads of State, former Heads of Government, guests of Heads of Government; in Barbados they have made no provisions for these people. The Attorney General has in fact made provision for these people. Remember we heard the word, tweaking, they have tweaked the legislation to reflect an interest that to my mind is not clear.

Sen. Jeremie: Sen. Mark, would you give way? You say that the Attorney General—

Madam President: Please, gentlemen, can one sit.

Sen. Jeremie: The Attorney General made no such change to the schedule. I was not the tweaker. What I can say is that the Bill was produced by the Caricom Legislative Drafting Facility and what you see inside there is simply what came out of the facility. I do not know if the Minister of Sport and Youth Affairs tweaked in that area, but I doubt it.

Sen. W. Mark: No, I am not accusing anyone. Madam President, I do have a few minutes again, let us go to Second Schedule. Now, what am I going to drink when I go to that match? I cannot drink because they said I cannot walk with alcoholic beverages and these are items that will not be allowed at these venues. So, poor people who are being asked to pay US \$80—because I think that is what Sen. Dr. Gopeesingh said a ticket is going to cost in some instances—the Minister of Sport and Youth Affairs will let us know what is the range. If you look at No. 11, you have to be on a diet; it is a diet box. The lunch box is a diet box. *[Laughter]* They are making sure that you just put two sandwiches, a little chubby and so on inside there. You get the impression that the citizens of this country who will like to go and take in the cricket, they cannot even walk with a roti. A roti cannot fit in that box.

Sen. Seetahal, S.C.: Twenty four inches roughly is two feet.

Sen. W. Mark: Two feet.

Sen. Seetahal, S.C.: By one foot.

Sen. W. Mark: So I can walk with my roti and thing? Okay, I missed out on that one, Madam President. But I am just showing you that for instance there is a very broad, open and wide list of restrictions on people's ability to enter with items.

As I said, we on this side, like you, like my colleagues on the other side and all my colleagues, we are great and avid supporters of West Indies Cricket, so we support and we shall support, but it is our duty as the alternative government—hon. Minister of Education—to go through the legislation and try to point out to the Government some of the weaknesses, some of the deficiencies and some of the areas that are of concern to the citizens of the Republic of Trinidad and Tobago.

We would hope at the level of committee, some of the areas that we have advanced, the Government will consider, look at them and see to what extent we can arrive at a healthy compromise at the end of the day because at the end of the debate here, we would like the Bill to be passed with the support of every single Member of the Senate. Because we are committed to the legislation, we are

committed to West Indies Cricket, we want to see a fantastic tournament when it comes off. We want safety and security for all our visitors and our people who will be visiting those venues for warm-up matches and practice games. Therefore, it is incumbent upon us all, to ensure that we put measures in place that do not infringe the rights of the citizens and at the same time provide us with the opportunity to ensure that there is equal opportunity for all of the citizens who will like to participate and visit those venues for the warm-up games and the practice matches.

I want to thank you very much, Madam President, for allowing me to speak.
[Desk thumping]

The Attorney General (Sen. The Hon. John Jeremie): Madam President, I rise to speak this afternoon on what my colleague, the hon. Minister of Sport and Youth Affairs has accurately described as one of the most significant sporting events to be held in this region ever. I dare say, it is an event which is not likely to be repeated in my life time, so I am proud to be able to speak to the legislation itself, aware as I am, that for us in this region, cricket is much more than a game played with a bat and a ball. It, that is cricket, has the potential, unlike any other sport, to unite us as a people.

6.30 p.m.

The West Indies cricket team has had great success in the past and some more modest success of late. Cricket is what tells the world that, as a people, we are bound by ties of culture, geography and history; in other words, that in spite of our differences, we are one people. Our challenges are similar. The boundaries which define the cricket field are symbolic, not only of our physical challenges, because beyond those boundaries lie the problems which we all face of surplus and development, unanswered questions of industrialization with meaningful environmental protection, uncharted waters of unity and race, undeveloped issues of class and the inequitable distribution of resources.

The players themselves, drawn as they are from every walk of life in the Caribbean, reflect these challenges which we face as a Caribbean nation; challenges of diversity and unity, poverty, class and race. We need to face these challenges as politicians directly, but that is a task with which our leaders must treat urgently, if we are to survive and thrive, as has the West Indies cricket team for some 100 years. Sen. Bro. Khan suggested that sport transcends the physical and has the potential to engage us at a deeper spiritual level. That is a sentiment with which I wish to align myself.

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Madam President the decision to host Cricket World Cup 2007 was a collective decision made by the Caribbean cricketing community. That decision to host this international sporting event was inspired, primarily, by the love of our people for the beautiful game of cricket; but much as our people love the game of cricket, so too we are jealous of our fundamental rights and freedoms. Therefore, every effort has been taken by all host venue members of Caricom to protect the rights of our collective people.

Madam President, I rush back to the legislation itself, because the leaders of the region were also cognizant of the fact that hosting this event was not limited to sport, as I have attempted to illustrate briefly, but a lot of coordinating had to be achieved between the nine host venue nations to successfully achieve the collective goal. I am pleased to announce to this Parliament that the decision to host the World Cup Cricket made by the then Government of Trinidad and Tobago in 1997—and that was my government of Trinidad and Tobago in 1997, under the Act of State doctrine, and it does not matter who held the reins of power in 1997—has forced the region to consult and coordinate in a manner never before experienced.

There have been numerous meetings by the regions' leaders, senior government leaders and technocrats on matters of immigration, security and law. It is our hope that long after the wickets and bails are removed at the close of World Cup Cricket 2007, the spirit of cooperation and coordination, both within individual States and throughout the region as a whole, would endure. I make that point to say that this present Government was not in power in 1997; we are in power now. With God's help we shall bring this matter to a wonderful and successful conclusion. [*Desk thumping*]

Madam President, the Bill before us has been fashioned after model legislation crafted by the legislative drafting facility of Caricom in conjunction with representatives from the offices of the Chief Parliamentary Counsel (CPC) within the region. These hardworking public servants were here in 1997 and they are here tonight giving unstinting service; right in the back there. [*Desk thumping*] These persons held numerous meetings to finalize a draft and from that the Bill before you was prepared. I say “prepared” and not “tweaked”.

The first point I wish to make in relation to the Bill is that it is but a reflection of the Host Venue Agreement which our government in 1997 committed us to. [*Crosstalk*] They committed us to the Host Venue Agreement. I find it somewhat surprising this afternoon that we could go through the Bill clause by clause and pass words which, really, are obligations imposed on all cricketing host venue countries. It is a template Host Venue Agreement; this is nothing strange.

The United Kingdom, Sri Lanka, India, Pakistan, Australia and South Africa, all these countries have a tradition which is similar to ours, both in terms of jurisprudence and respect for individual constitutional rights. So to hear Sen. Dr. Gopeesingh deal with points of law, which I shall explain quickly, because they can be explained quickly in passing the agreement, was really something of a surprise to me. If we cannot deal with some of these simple issues, it means that we will never host an event of such magnitude.

Firstly, when we were tied to this agreement in 1997—which we are happy to fulfil today—Sen. Dr. Gopeesingh did not, at the time, speak to the issue of traffic, regulations and code of practice on match days. Those are trivial issues and are dealt with at Carnival time in this country. We have restrictions on where cars move for Carnival, so to pick on that and juxtapose it with what we are speaking of today, which is a one-off event, really—these provisions, as the Carnival restrictions, are temporal. They last until the end of the tournament. They start at the beginning of the tournament and they last until the end. [Crosstalk] Carnival might last for a shorter period, but as it is going these days, I think it is expanding. [Interruption] I am going to speak to Sen. Seetahal's specific problem with respect to the traffic, in a while. I will get back to the Bill, because Sen. Seetahal, S.C. allowed herself some considerable latitude this afternoon.

Sen. Seetahal S.C.: I did?

Sen. The Hon. J. Jeremie: The Bill is divided into six Parts. Part II deals with the special arrangements for Cricket World Cup such as the declaration of a match period and a venue. That must be a non-controversial event and I propose to say nothing further on that.

A matter that I am sure would be of some concern to the public at large, and this is the one point on which I agree with Sen. Mark, my good friend and loving brother, that we need to engage in some sort of public education exercise to let the public know exactly what is and is not required and what would be and would not be permitted on those days. In fact, he spent his whole hour—and I was happy to give him extra time—making that one point. I have dealt with it and I trust that my colleague would not have to come back to it when he is winding up. [Crosstalk]

Madam President, Part III deals with conduct within a CWC venue. It is aimed, primarily, at dealing with the security of the patrons, players, premises and property. Clause 16 prohibits or restricts a person from having in their possession

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at a CWC 2007 venue during a match period certain items as specified in the Second Schedule. This is what my friend and loving brother spoke about a while ago. Any dangerous objects, weapons or any other article capable of being used as a weapon are prohibited, for obvious reasons. I do not think I need to go further than that.

This is a showcase event. If Carnival is a showcase event and we try to have as little difficulty as possible in terms of violence at that time, we want to have as little difficulty here as possible. Unless my loving brother plans to carry some of his friends with offensive articles or weapons, I think we should all be unanimous in terms of agreement with that. [*Laughter*]

By virtue of hosting this international event, the region has had to become au courant with certain legal concepts that were either alien or unfamiliar to us. One such concept is that of ambushment. Clause 25 prohibits certain trade practices. That clause deals with what is known as ambush marketing by association as well as ambushment by intrusion. We looked at whether legislation already in existence would have addressed that matter; the point was considered. The view was that legislation does not extend to ambushing; therefore, specific provision for ambushing had to be made in the Bill.

The officers from the CPC spent seven years on this and it has gone through several Attorneys General culminating in our last meeting in Tobago in April at which we signed off on the legislation. I think Sen. Mark was there somewhere in the hotel when we signed off on the legislation. [*Laughter*] He was somewhere hiding. [*Crosstalk*] I was keeping away from him, because he is my friend. [*Laughter*]

Ambush marketing occurs where a person poaches on the goodwill of an event to give the impression that he is coasting on it, that he is associated with the event and thereby gains in advertising and, consequently, increase sale of his product. Ambush advertising, therefore, robs the sponsors of their own advertising time and consequent sale of their products. I am coming back to deal with this in clause 3(1) and (2) points that the Senator raised.

While general protections in law do exist, for example, under the Trademarks Act, Chap. 82:01, against misleading or deceptive conduct, these protections are not sufficiently targeted to deal adequately with the type of conduct involved with ambush marketing. Ambush marketing poachers can unfairly and illegally make advertising and publicity gains in sporting events of the nature of World Cup Cricket due to its high profile and the value an association with the event can bring to a business; so we had to deal with that specifically in the legislation.

We adopted the precautionary principle in dealing with this legislation: no more than was absolutely required. If our existing law carried us, we would rely on it, but no more than was absolutely required; that was the case, by virtue of the strictures in our existing law.

A trademark would only infringe another person's mark if the marks are for similar or closely related goods and services. So if someone wants to oppose trademark legislation in respect, for example, of bats, he has to demonstrate that he has a reputation for similar goods and services. Trademark law is more effective in dealing with situations of more blatant, deceptive conduct than ambush marketing; so we had to treat with it.

Similarly, misleading and deceptive conduct and false representations tests in the Trademarks Act are more stringent than the proposed protection will be and they do not usually encompass the more subtle ambush marketing technique. That is why you have some of the unique language used, which you would not normally find in a criminal charging statute in this jurisdiction. The test that there is a representation, indication or suggestion of a contractual or other connection might better enable the person to target the more subtle conduct involved in what is known as ambush marketing.

Part V of the Bill deals with remedies. It is worth noting that clause 40 provides that a court may order a person by such means as the court thinks fit, including by broadcast or Internet publication, to publish corrective advertisements if it is satisfied that the person has contravened provisions respecting the use of marks, indicia or images.

The people of the region are looking forward to the hosting of this international cricket event. We have made all efforts, both here in Trinidad and Tobago and in the Caricom region, as a whole, where we sat, looked at what existed in each territory in terms of legislation and what was necessary. We adopted the precautionary principle. We looked at the obligations imposed by the Host Venue Agreement. This is a one-off event and we come with clean hands with a Bill that requires simple passage this week.

I am going to come with our impacts legislation, which I know Sen. Mark has been chomping at the bit to get at. We have a reason for that, which would be explained when we come there. We have come here to ensure that we have not compromised our people's enshrined rights and freedoms in terms of this legislation.

Some of the matters raised during the course of the debate are outside of my remit; some are within. Usually Sen. Seetahal, S.C. raises matters which are within my remit, but today she allowed herself considerable latitude. [*Interruption*]

Sen. Seetahal, S.C.: Can I rise on a point of order, Madam President.

Sen. The Hon. J. Jeremie: Not on a point of order, to clarify.

Sen. Seetahal, S.C.: I do not think that the Attorney General should be allowed to make that kind of comment seeing that the Chair did not determine that I was irrelevant. [*Desk thumping*] It is, in effect, challenging the order of the Chair.

Madam President: Senator, since you did not allow the AG to continue, I cannot be sure what it was. Do not be irrelevant, please, Sen. Jeremie.

Sen. The Hon. J. Jeremie: Of course not. All I said was that she allowed herself more latitude than she would normally. Usually she sticks to legal points so I could say, “Well, okay, that was within my remit”, but today she allowed herself considerable latitude.

Sen. Seetahal, S.C.: I am not so narrow; I am broad.

Sen. The Hon. John Jeremie: I did not say she was irrelevant. The fact that it had nothing to do with the Bill does not mean it was irrelevant. [*Laughter*] [*Desk thumping*] [*Crosstalk*]

Madam President, I want to caution Sen. Seetahal, S.C. my very good friend, as opposed to Sen. Mark who is just a friend and a loving brother. [*Laughter*] She said that she gets annoyed, but I must caution her, because she is my friend. She said that she wants to run her vehicle into another when she gets into traffic. [*Crosstalk*] I just want to caution her; that course of action might result in serious consequences. [*Laughter*] She understands that better than I do.

Madam President: I think she is well aware of that. [*Laughter*]

Sen. The Hon. J. Jeremie: The traffic matters which she couched in those terms, basically—and she was very broad with respect to her traffic comments—I consider those to be outside of my remit; save and accept for the points she raised with respect to—I am not sure whether it was my good friend Sen. Seetahal, S.C. who raised the point with respect to the security directorate and the schedule which has to be fixed, but those are matters which we would deal with at committee stage.

I think it was Sen. Dr. Gopeesingh, in one of his forays into the law, who looked at clause 3(1)(a). He raised a couple of points, which I could, perhaps, deal with very rapidly. Firstly, I do not think he spoke about tweaking, but he spoke in

general context of the fact that no regulations were made here. He said that he wanted to help and support, but he said no regulations were made here. But the Caricom legislative drafting facility has done its work; what was required to have been done was done.

I took careful note of the clauses to which he referred us. Clause 46(1) states:

“The Minister may by Order amend the Schedules to this Act.”

The words “may by Order” give the Minister a power to amend the Schedule of the Act. Clause 46(2) says:

“The Minister may make regulations prescribing matters—

- (a) required or permitted by this Act...
- (b) for carrying out or giving effect to this Act.”

There are two cases which he should be familiar with, but I want to refer him to them. They are not cases before the court, Madam President, so there is no need for him to jump up and howl. There is the Gypsy and Chaitan case in which no regulations were made in respect of election petitions; that is the election petitions matter, in which the Court of Appeal, in a very sound judgment, said that where the word “may” is used it is not a condition pressed to the legislation, that the regulations must be made. The regulations sometimes are critical to the operation of the Act, but these regulations here are not.

He also referred us to clause 3(j); that is 3(j) as in John and Jeremie. [Laughter] Does clause 3 have a (j) or did he take it from me?

Sen. Seetahal, S.C.: In the definition section.

Sen. The Hon. John Jeremie: That is in the definition section on page 3. On page 3 (j) deals with dangerous weapons. It says:

“‘dangerous weapon’ means—

- (a) explosives;
- (b) incendiary device or material;
- (c) firearm;
- (d) gas;
- (e) material;
- (f) weapon;

- (g) glass of any description;
- (h) article, object or instrument;
- (i) object that may be used as a missile;
- (j) such other object as may be prescribed as a dangerous object and set out in regulations made under this Act which may be used to—
 - (i) maim, disfigure, disable or cause bodily harm or death to a person;
 - (ii) render a person temporarily paralyzed or unconscious; or
 - (iii) cause damage to property;”

My comments before with respect to the word “may” can be applied here, so I do not think that needs to detain us any further.

Sen. Mark made a point which had a certain attraction, if you were reading the Bill for the very first time. I apologize for the Bill being late and for the fact that we might really have been asking Senators to do more than was required this afternoon. I just want to read clause 3(1) which says:

“The Minister, after consultation with the Committee shall by notice published in the *Gazette* and in at least one newspaper in daily circulation in Trinidad and Tobago—

- (a) declare any area within the control of the Committee or CWC 2007 Inc. or both, that is reasonably required for the staging of a CWC 2007 activity, as a CWC 2007 venue;
- (b) stipulate within the notice referred to in subsection (1) the date—
 - (i) with effect from which the area will be regarded as a CWC 2007 venue; and
 - (j) on which the area ceases to be regarded as a CWC 2007 venue, which date may not be later than six months after the completion or termination of CWC 2007;...”

The question was asked, “Well, if this is sunset legislation and it dies after the event, why the need for clause 3(1)(b)(ii)?” Speaking from my experience at the LAC, what happened in South Africa was that there were a number of claims that had to be dealt within that period which could not be closed off clinically on the date that the tournament finished. As a matter of fact, I think Sen. Dr. Mc Kenzie said this afternoon that South Africa was still dealing with a \$6 million debt incurred.

The point is that the CWC outfit has put that into the Host Venue Agreement to cover our rights in relation to ambush marketing; so we have an extra six-month period and it is “may”. In other words, the Minister can say, “Okay, the tournament has gone perfectly well; this is a one-off event; it is the first time we are having it; we have had no persons trying to steal our goodwill, therefore, the sunset period can end clinically on June 30.” That is fine, but (b)(2) merely gives the Minister a power to extend the date not later than six months after the completion or termination of CWC 2007.

It is still sunset. The question of whether it ends on the day or whether the Minister has a period of time after the tournament, based on how the period has gone—We must give him a certain degree of flexibility in these circumstances, based on how the period has gone, whether or not to extend the period for a further six months or as may be necessary. *[Interruption]*

Madam President: Would you give way?

Sen. Prof. Ramchand: The question that I had raised was, first of all, whether 3(1)(b)(ii) clashes with clause 48, because this is related? Now that the Minister has spoken I am wondering what does a venue have to do with there being some business to wrap up after the thing. Why is a venue going to be held on to as a venue for up to six months?

Sen. The Hon. J. Jeremie: As I understand it, the venue determines a number of rights, so that if, for example, the sponsors of the event have the exclusive rights to place advertisements or boards in the venue and you place a board which says, “Hepsi Cola” instead of “Pepsi”, because “Hepsie” would be close to “Pepsi”, that is a matter which we would classify as ambush marketing. First of all, that sort of event triggers a liability on the part of the host, the State, and it might, in the Minister’s discretion, be advisable for him to carry the legislation for a period of time.

The Minister is still to wrap up and he will explain any further questions. I am just telling you that there is no real clash, between saying that the sunset period ends on June 30 and giving the Minister a power to say that if there are circumstances which he considers to be appropriate, he would extend the period for a further period of time. It is a one-off event. It is not going to deprive people of any rights. As a matter of fact, it is meant to protect the rights of the persons who have injected money into the tournament.

I keep repeating that the legislation is a derivative of the Host Venue Agreement, so all these things have been thought about by the International Cricket Council (ICC) based on their own hard experiences. South Africa is having a very difficult time still in terms of closing off some of the liabilities.

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If I were to be frank this afternoon and discuss the Brown Package, I could do that, but the World Bank did a report, at one point in time, which said quite clearly that the hosting of events such as this can ruin a country's economy. Trinidad and Tobago is not prepared to take that particular risk.

There was some talk by Sen. Dr. Gopeesingh which was outside of my remit. I am rushing to the end of my contribution. He spoke about his prowess on the cricket field. I cannot speak of that, except to say that I suspect rumours of that might be greatly exaggerated. What made me suspicious was that he said he had taken the wicket of Kenny Anthony in a cricket match. Kenny Anthony is a very close friend of mind. He recruited me to the Faculty of Law in the University of the West Indies (UWI). He weighs no less than 300 pounds and if Sen. Dr. Gopeesingh took his wicket at cricket, I want to tell him that I did it too. So I cannot speak of his prowess on the cricket field.

With those few words, Madam President, I thank you.

The Minister of Sport and Youth Affairs (Hon. Roger Boynes): Madam President, allow me to thank all Senators who contributed to this most important and very exciting debate. I have listened to all the contributions and they have been very, very good, in my humble opinion. I take this opportunity to very briefly thank the Attorney General who dealt with some issues of law and also with several of the matters that would have detained me even more than they should.

The section that deals with the whole aspect of regulations, raised by Sen. Mark—and, of course, one has to be concerned as to how this thing would actually be managed—was also taken care of by my friend, the Attorney General, in dealing with the whole issue of whether regulations would be necessary.

I want to take the point that Sen. Mark and several others on this side, including our dear Attorney General, raised, that speaks to public education; it is critical. I am sure we would have a lot of work to do at the committee stage, where we may even tweak and make whatever amendments or discuss it further. As we finalize our position here tonight and as the House finalizes its position tomorrow and we get this Bill going in the form of an Act, we will then hit the road with a document containing certain commitments in the particular legislation which would allow us to be in a position to educate the population.

We would be in a position to take the Act on the road and get persons to buy into the whole aspect of the Cricket World Cup and what it means, what they have to do and the impact of sunset legislation. We have put aside funding for a

massive public education drive that seeks to educate persons on the sunset legislation. We thank Senators for, at least, indicating their support for it. We give in return our commitment that we are going to be focusing on a serious public education drive in the interest of making this the best World Cup ever in the region. [*Desk thumping*]

Let me also take the opportunity of mentioning a few points that Sen. Mark raised. Sen. Mark raised the issue in clause 32(2) and (3), where he specifically asked how we would deal with the whole aspect of the local media as it relates to the provision of information. Clause 33(1) states:

“The use of a CWC 2007 mark, CWC 2007 indicia or CWC 2007 images for the purposes of, or in connection with, the provision of information or for the purposes of criticism or review is not by itself sufficient to—

(a) amount to a contravention of section 28...”

That is only if you use the image and the mark of CWC 2007 to criticize and whatnot; but the media can utilize the information for normal reporting, criticizing and that sort of thing. It only protects itself from it being said that CWC 2007 criticizes the Cricket World Cup. It is a form of protection, so they cannot say that they have breached the agreement, as it were. I thought I should indicate that particular point.

Sen. Mark also mentioned, with respect to clause 24, that it may impose certain restrictions on the news media. Throughout the particular clause, one would, no doubt, appreciate that it speaks to prior approval being sought by the news media. I know for a fact that our Local Organizing Committee (LOC) is working with all the media houses to ensure that they get prior approval, so everything would just flow. It is a point worthy of note.

Clauses 25(2) and 26(1) also speak to prior approval being sought. [*Interruption*] With respect to the point that was raised about how the small man would be in a position to benefit, there is a need for public education.

Sen. Seetahal, S.C.: Small man?

Hon. R. Boynes: The small man or small woman, as the case may be; the nuts man and nuts woman, as it were. How would they be able to benefit from this event? There is need for public awareness and education; we give that commitment. They have to go to the LOC; the LOC will go to them; like the nuts man Jomo, for instance. All those are persons that the LOC are in touch with, because we want to capture the local thing. Even though it is an international

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event, what makes us different is the flavour of the Caribbean and Trinidad and Tobago. That is what sets us apart from the rest of the world; that is why we intend for this to be the best World Cup Cricket ever. [*Desk thumping*] We intend to get everybody on board.

Sen. Seetahal, S.C.: Source doubles!

Hon. R. Boynes: Source doubles from Curepe, for instance. [*Laughter*]

I recall that Sen. Bro. Khan raised some serious questions on accountability. I wish to indicate to him that those are issues which we must be mindful of, if we are to manage and look at the country's resources. Let me just explain to the hon. Senator that the Global Cricket Corporation (GCC) has given the sum of US \$550 million to the ICC to host, approximately, four events; Cricket World Cup 2007 is the last of them. With respect to how much money the West Indies Cricket Board Inc. (WICB) has agreed with the ICC to be given, as a result of that whole amount of money—the WICB would benefit, approximately, US \$100 million of that US \$550 million for the hosting of Cricket World Cup 2007.

The distribution to the WICB in terms of what their portion would be, in terms of all they have to do to run the event which took place from the date on which we got the approval and the nod to host the event, is 80 per cent; 20 per cent goes to the balance of countries, namely, Guyana, Trinidad and Tobago, Barbados, the Windward and Leeward islands and Jamaica. I thought I should indicate how this money will be allocated.

The WICB has incorporated the CWC 2007 Inc. to manage the affairs. The LOCs are the ones on behalf of the CWC and the ICC to manage the events in the respective countries. Basically, governments normally pledge and give funding to the local organizing committee to run the event, but they certainly have to be accountable to the people of Trinidad and Tobago and the region, as a whole.

Quite apart from that amount of money from the allocation of the GCC, they will also be benefiting \$8 million from ticket sales in Trinidad and Tobago; that is an approximation. Those are, basically, tangibles; then there are the intangibles which speak to persons coming, hotel arrivals and that sort of thing. Certainly we also look at what it would do for the image of the country, once it is run properly; how it would establish us in the region as a sport tourism destination, which is part of the sport policy of our country. This we feel is of tremendous impact.

Really and truly, cricket is not just a game for us in Trinidad and Tobago; it is a way of life. We see what Brian Lara has done for our country. One of the Members indicated that when you go outside there, you say that this is Lara country. We all know the importance of sport. We have Ato Boldon sitting across

there. We know the importance of sport to us here for the image of our country with what the Soca Warriors have recently done. *[Laughter]* All hands can come on deck for us to make this the best World Cup Cricket ever.

Sen. Dr. Gopeesingh wanted to find out the composition of the board. There have been certain members who have been on the board and some members who have resigned for several reasons. Derek Murray was a prominent member on the board, but he wanted to go to another place. He is now the Chairman of the Trinidad and Tobago Cricket Board of Control. He felt that may have caused a bit of a problem while he was engaging in a climate to become that, so he asked and we said, “Derek, while we need you, we know that your heart is there; you will be part of the committees to take us forward.”

We have had persons like Ellis Lewis, who was the Chairman of the Trinidad and Tobago Cricket Board of Control and persons like William Rodriguez from Queen’s Park Cricket Club. We have really and truly had persons from all walks of life; persons with all different talents. We cannot only put sportsmen in management capacities, so we were in a position to mix it up, as it were. We have a Jaggernaut Soon from the Ministry of Finance. He sits on the board, which is 100 per cent owned by the State. So there is a level of accountability, Sen. Bro. Khan. I just wanted to give you the assurance that we are working hand in hand to make sure that aspect of accountability is important to the sport.

I thank hon. Senators for all that was done, because the Attorney General would have mentioned a number of aspects of the Bill. The Brown Package, Sen. Boldon, I would always say was a decision of the ICC. Based on the culture we have in Trinidad and Tobago, with the Peter Minshall that we have, we were all disappointed. I really believe that we could have got the Yellow Package to depict our culture; I said it on numerous occasions. *[Crosstalk]* As it were, if the ICC in its deliberations and assessment said they were in a position to award us the Brown Package, then we work with what we have, because we are team players. Could we have the Brown, the Red, the Yellow and the Green Packages? I mean, we are part of the region to host this event and we would give it our best shot to make sure that we have the best World Cup Cricket ever. *[Desk thumping]*

I thank hon. Senators—*[Interruption]*

Sen. Seetahal, S.C.: What is the penalty in case we do not pass this legislation? I asked that earlier.

Hon. R. Boynes: Sorry about that, but the guarantee that was signed speaks to about US \$3.5 million. We try not to breach any of the clauses of the Host Venue Agreement so that we would not run the risk of having to pay that sum of money; that is what the guarantee is.

Madam President, may I lastly deal with the whole issue of the Brian Lara Stadium very, very quickly. We know that we are trying our best to finish it; however, we had put a plan B in place. Nothing is cast in concrete. We put proper plans in place. We were commended by the ICC for properly having a plan B, so we could now go to UWI, which has an excellent pitch. Sen. Seetahal, S.C. could tell you that it is an excellent pitch, well manicured. It is one of the best pitches around; the legacy for the students will be second to none. We really and truly feel that we have done our homework and our planning. What we have to do now is to go out there with the public education in a very, very energetic manner and have everybody on board as we go towards making this the best World Cup ever. [Desk thumping]

With that, Madam President, I beg to move.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole Senate.

Senate in committee.

Madam Chairman: We will take it by Parts, but we will give you time to make your comments on the clauses.

Clause 1 ordered to stand part of the Bill.

Clause 2.

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

Sen. Seetahal, S.C.: I have a question in relation to matters raised already. It is in clause 2. I do appreciate the urgency of this Bill, however, where you have “dangerous weapon” meaning simply material, article, object or material, there is a danger in that it could be abused. That relates to the later offence which deals with dangerous weapons. I do not think that dangerous weapon could ever mean material, unless you are saying something like:

“material made or adapted for use or causing injury to the person.”

Something like that. In a similar vein, article, object or instrument; I am looking at our existing Prevention of Crime (Offensive Weapons) Act in which there is a definition of that.

Mr. Boynes: When it was considered that was raised as well and one person had mentioned rope. The rope could be seen to be a dangerous weapon.

Sen. Seetahal, S.C.: Let me tell you something, sugar could be that, water, sweets; material means anything; that is what it means. Article, object or instrument means anything; you have no qualifying phrase and that is the problem; it is a simple thing. [*Interruption*] If you said something like:

“‘Dangerous weapon’ means material made or adapted for use for causing injury to the person or property...”

Something of that nature.

Sen. Jeremie: There is just one point. As I see it, the legislation really is modelled on what is now best practice guidelines coming out of the experiences which other countries, bigger than ours, have had with terrorism and so on. There was a concern at the LDC; we looked at that and the reason we left it like this was because with technology nowadays it is possible to have benign substances like deodorants and things like that; things that the aircraft industry recently had to put strictures on. We felt that we should leave the legislation as they have suggested, so that we could take care of any eventuality.

It is meant to ensure that persons are safe. There is a public education exercise which will do, hopefully, as the one in the United Kingdom did when they discovered that baby formula and toothpaste could be mixed to form explosives. It was something that some thought was given to, because it came to us from the larger countries. We had a difficulty with it initially, but it was something that we felt we could live with in the context of sunset legislation. It is not going to be on our books forever. It is something we feel we can live with in the context of sunset legislation. It is not going to be on our books forever.

Sen. Seetahal, S.C.: I thought that I should point that out. I understand what you are saying, but you mentioned tweaking so I was given the impression that there were adaptations to our jurisdiction. Mr. Attorney General, if you have a word—and I am not going to press it—let me make the point:

“‘material’ made or adapted for use for causing injury...”

That would include anything where you use it for injury, such as powder or whatever it is. I do not see that it does damage to the legislation; similarly, article, object or instrument. The reason I emphasize this is because it could be abused; that is all I have to say on the point. [*Crosstalk*]

Sen. Prof. Ramchand: I had a comment on that as well and it looks like a grammatical comment. [*Crosstalk*]

Madam President: Could I have some silence, please. [*Crosstalk*]

Sen. Prof. Ramchand: I think it speaks to the issue being raised. I am not going along with Sen. Dr. Gopeesingh with all the “mays” and so on, but in (j) where it says, “it may be used”, we could say, “it can be used”.

Sen. Jeremie: Sen. Montano has come to me with exactly that proposal, that we could leave in the word “material” and so on. It would be:

“such other objects as may be prescribed as a dangerous object as set out in regulations made under this Act:...” [*Crosstalk*]

Sen. Prof. Ramchand: “May” has to do with the will of the person; “can” has to do with a quality in the object or material.

Sen. Jeremie: I take the point, “which can be used”. So we leave in the words “material” and “weapon”.

Sen. Seetahal, S.C.: What about article, object or instrument?

Sen. Jeremie: We leave all those things in, because (j) governs it together with dangerous weapons.

Sen. Seetahal, S.C.: Are you saying that because you have (j), (e) and (h) are okay? That is not so. I thought you were going to delete (e) and (h) because (j) would cover everything. If Sen. Montano is saying that because (j) has these qualifications, then (e) and (h) are covered, I beg to tell him that it does not have it; (j) refers to an entirely different object. It does not refer to material, article or instrument. I thought the sensible point was being made that you deleted (e) and (h) and you included in (j) the words “such other material, object, article or instrument as may be prescribed”, and so on.

Sen. Jeremie: That is not our proposal. Our proposal is that we leave in the words “material, article, object or instrument”, and we make (j) govern material, article, object or instrument. [*Crosstalk*]

7.30 p.m.

Sen. Prof. Ramchand: It could work if you put the word “and” after missile in (i).

Sen. Jeremie: Yes.

Sen. Seetahal, S.C.: Mrs. Blake is here and all the other drafters who I know, those qualifications in (j) do not govern (a) to (i). Ask the three persons there rather than somebody who is a non-lawyer, if I may say so. This is basic drafting. *[Interruption]*

Sen. Montano: Madam Chairman, what I was trying to explain—

Madam Chairman: May I have some silence please!

Sen. Montano:—was not what Sen. Seetahal, S.C., is interpreting it as, I was suggesting that in (j), if a semicolon is inserted after the word “at” and move the words “which can be used” separately so that the part that reads “which can be used to—(i), (ii) and (iii) will then apply to everything above. So all you are doing is inserting a semicolon.

Sen. Seetahal, S.C.: I apologize to you, Sen. Montano. I thought that was what you could have possibly meant, but in relation to (e) and (h), but it is not what was said.

Sen. Montano: It then makes sense to everything that is there and we are not changing anything substantive from the draft legislation.

Madam Chairman: What is the proposal now?

Sen. Jeremie: We will return to that point.

Madam Chairman: We would return to it whilst the drafters are considering. Is there anything else in Part I?

Sen. Seetahal, S.C.: It is in the same section, Madam Chairman, which says: “match” means a match...I think the drafts people may want to suggest, and I am suggesting that you normally do not repeat “x” means “x” so you would say: “match includes a warm-up match”. I suggest you delete the words “means a match including...”

Mr. Boynes: A cricket match including...

Sen. Seetahal, S.C.: As it is here, “match” means a match is really—

Mr. Boynes: Yes, well taken. A cricket match.

Sen. Seetahal, S.C.: Unless you wanted to say “a cricket match”, but you did not say that.

Madam Chairman: It is amended by saying:

“match” means a cricket match including a warm-up cricket match...

Mr. Boynes: Yes. We also want to delete the words “Security Directorate” at the bottom of page 4.

Madam Chairman: Sen. Mark, you wanted to discuss another point, or is that the same thing?

Sen. Mark: It was the same thing.

Sen. King: The words “Security Directorate” on page 4.

Madam Chairman: Well, we have just deleted it.

Sen. King: You have deleted it? Thank you, I missed that.

Madam Chairman: In any case we have to return to that matter there so we will move on to Part II.

Clause 2 deferred.

Clauses 3 to 10.

Question proposed, That clauses 3 to 10 stand part of the Bill.

Sen. Seetahal, S.C.: I had raised with respect to clause 5 and the other clauses dealing with penalty, if there could be an alternative. Of course, the ICC may just want a fine for its own purposes, but if the person cannot pay the fine what is the result?

There has been a successful argument raised at section 68 of the Summary Courts Act which normally says where a so and so is listed, where there is a fine, say of \$10,000 it carries with it a penalty of that. It has been argued successfully that where there is no penalty of imprisonment in the legislation, you cannot use that, you have to go back to the civil debt where the maximum alternative would be six weeks.

Sen. Jeremie: Where the—?

Sen. Seetahal, S.C.: Maximum alternative is six weeks. In other words, it comes like a civil debt. So if I fine you \$100,000 and you cannot pay it, you might as well take your six weeks. Somebody may argue that, so I just thought it will be normal to put “or/and two years” or something like that.

Mr. Boynes: It may be difficult to put in the whole term of imprisonment. I understand the point, but we are not dealing with keeping people here. It is sunset legislation for a particular event and we just want to keep the term of imprisonment. That is what we have throughout the Caribbean. We debated this issue as a matter of fact, with Mr.—

Sen. Jeremie: We are not creating an offence per se so we prefer the penalty and if it is six weeks, one week, or one day, that is fine.

Madam Chairman: Is there anything else?

Sen. Prof. Ramchand: I still do not understand clause 3(1)(b)(ii). From what I see, if a place is declared a venue, the CWC has full and unrestricted control of it. If there is a legal issue relating to a venue and it persists after the tournament, why is it necessary for the CWC to have full and unrestricted control of that venue while the legal matter is being resolved? I would like to understand why.

Mr. Boynes: We are preparing to take that point very seriously and will agree to have it changed until the date of the expiry of the Act. Not later than the date of expiration of the Act.

Sen. Mark: Madam Chairman, I had suggested to the Attorney General and the Minister of Sport and Youth Affairs that given the broad nature of coverage of 3(1) in terms of venue and activity, it could take in many surrounding areas and the more we can inform the population about the action that is being taken, instead of just putting it in one daily newspapers, I suggest that it be put in at least two daily newspapers.

I know that Tobago is not taking part in these events, but I suggest that it also be included in the *Tobago News* apart from the two dailies.

Sen. Montano: Madam Chairman, I consulted with Sen. Dr. Mc Kenzie on that point and she asked me to say this when that was suggested. She said that the daily newspaper is circulated in both Trinidad and Tobago and there is no need for that.

Sen. Mark: Okay.

Sen. Jeremie: The Minister says that he is going to do a public education exercise and will deal with it administratively. He will run it in more than one newspaper. The legislation will remain as it is, but he intends to have an extensive public relations exercise which will probably be carried in more than one newspaper. It will have to deal with the *Gazette* but—

Sen. Mark: No I am dealing specifically with when the Minister is designating areas as identified in (a), (b), (c), I am saying that is separate and apart from your public education exercise. Remember when he is going to declare an area as a CWC activity or as a venue, what kind of time frame he would require to so designate? Is it going to be a week, two weeks or next week?

Sen. Jeremie: His outer limit is going to be fixed. He cannot do it for any longer than the term of the legislation, that is one; the second check is that the area has to be within the control of the committee or CWC 2007, or both; the third check is that it has to be reasonably required for the staging of a CWC 2007 activity.

So all those things impact on what is a venue, so we think a venue is satisfactorily defined. There is a statutory obligation on the Minister to publish in the *Gazette* and in at least one newspaper in daily circulation in Trinidad and Tobago and he has promised to do more.

Mr. Boynes: And it will be part of our public education drive, it has to be. So administratively we are giving this Parliament a commitment that we would treat with it. We understand exactly what you are saying.

Madam Chairman: Is there anything else on Part II?

Sen. Ahmed: Madam Chairman, clause 6(3)(c). Remove the word “exchange”.

Sen. Jeremie: Why?

Madam Chairman: What is the question there?

Mr. Boynes: You want us to remove the word “exchange”?

Sen. Ahmed: Yes.

Mr. Boynes: That would be very difficult. There are specific procedures as they relate to the tickets. Exchanging tickets is not one.

Sen. Seetahal, S.C.: If you want to exchange one for another?

Mr. Boynes: You return to the LOC basically, and they will rectify it.

Sen. Seetahal, S.C.: Good. So barter and exchange have different meanings.

Madam Chairman: Is there anything else, Members?

Question put and agreed to.

Clauses 3 to 10 ordered to stand part of the Bill.

Clauses 11 to 20.

Question proposed, That clauses 11 to 20 stand part of the Bill.

Sen. Seetahal, S.C.: Madam Chairman, I was just pointing out that we need to justify the columns, the drafting.

Madam Chairman: Are there any other queries?

Sen. Mark: May I ask the Attorney General and the Minister if these fines are consistent in terms of the region? How have we arrived at, or rationalized these fines? I find for warm-up games and practice matches, seeing that we are not going to have any major match played here I find the fines—

Mr. Boynes: All the matches have the same rules, and all countries are guided by the same.

Sen. Mark: So in Jamaica it will be millions?

Mr. Boynes: They will have a US equivalent. We have just broken it down from the US to the TT dollar.

Sen. Mark: So there is a kind of uniformity?

Mr. Boynes: Yes.

Sen. Boldon: I was about to ask a question. For all intents and purposes are the fines the same for the practice matches and the actual games?

Mr. Boynes: Yes. They consider the warm-up matches as very serious, and we all do, because people come from abroad to see them.

Sen. Boldon: Okay.

Question put and agreed to.

Clauses 11 to 20 ordered to stand part of the Bill.

Clause 3 recommitted.

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

Madam Chairman: May I have your attention? In accepting Part II, in fact, there had been an amendment to clause 3(1)(b)(ii). The clause is amended to read as follows:

“(ii) on which the area ceases to be regarded as a CWC 2007 venue, which date may not be later than the date of expiration of the Act.”

Question put and agreed to.

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

Clauses 21 to 26.

Question proposed, That clauses 21 to 26 stand part of the Bill.

Sen. Mark: I guess clause 25(1) will be a standard clause in the nine countries?

Mr. Boynes: Yes, that is our saviour clause.

Sen. Seetahal, S.C.: It is actually more of a typographical thing but I think it is important. In clause 24(1), I think there should be a deletion of that because that would stand by itself. It should be a colon or a dash to make sense of it. I think it is an error, but it is an important one.

Sen. Jeremie: It is a typo.

Question put and agreed to.

Clauses 21 to 26 ordered to stand part of the Bill.

Clauses 27 to 38.

Question proposed, That clauses 27 to 38 stand part of the Bill.

Sen. Seetahal, S.C.: Clause 38(4), page 25. I know it is just punctuation, but it is important. Replace that full stop after the word “company” with a colon, a dash or something.

Question put and agreed to.

Clauses 27 to 38 ordered to stand part of the Bill.

Sen. Mark: Madam Chairman, I know that we are dealing with this in parts and because of the late arrival things are rushed. I just want to crave your indulgence to get some clarification from the Attorney General, but I need your permission.

Madam Chairman: Go ahead.

Sen. Mark: I want to get some clarification on the work permit issue because it appears to me that if we are operating in harmony, I am getting the distinct impression that on the one hand you have a smooth passage through Barbados, but when you come to Trinidad you have to have a visa and apply for a work permit. I do not know if there is some inconsistency in the legislation, that is why I made reference to the pre-clearance legislation that—

Sen. Jeremie: That is separate.

Sen. Mark: Oh, that is coming separate?

Sen. Joseph: Yes. Madam Chairman, let me explain for the Senator. The intention is once you come into one jurisdiction for which you would require whatever documents; movement among all the other nine will be okay. It is like if you come into one you are coming into all. So movement within the other eight from any one of the countries from which you enter is now seamless, you do not need any documentation to move from one to the other. This is the reason why the requirements to come into one must be the standard for all other eight.

Sen. Prof. Ramchand: Madam Chairman, I know we have passed Part V, but I just want to register a discomfort with clause 24(1), where it says: "...by any means, including without limitation utilizing..." What is wrong with poor, little, simple including? Just stop at including, if it means including but not limited to? Including already means that. It includes, it could be other things. Then you have a little rhyme there "including without limitation utilizing".

Mr. Boynes: What do you propose?

Sen. Prof. Ramchand: Stop at the word including.

Sen. Seetahal, S.C.: You have to read the whole sentence.

Sen. Prof. Ramchand: Even so, it does not sound right and does not contribute to the meaning. Including means all that.

Sen. Manning: Yes.

Sen. Prof. Ramchand: Look, the Minister of Education says so too.

Sen. Seetahal, S.C.: You cannot delete the word utilizing.

Madam Chairman: Let the Minister explain what this means.

Mr. Boynes: What I am suggesting is that it can be left as it is because it is including, but not limited to, and that is the effect they want it to have.

Sen. Prof. Ramchand: I guess it is sunset; it would not be there to shame us forever and ever.

Sen. Seetahal, S.C.: Put in a comma after including and after limitation.

Sen. Prof. Ramchand: You could ameliorate it a little by saying not utilizing, but be used of.

Sen. Seetahal, S.C.: No, leave it like that. If you are going to leave it, leave the word utilizing, it makes more sense.

Sen. Prof. Ramchand: It is sunset, it will disappear.

Clauses 39 to 43 ordered to stand part of the Bill.

Clause 44.

Question proposed, That clause 44 stand part of the Bill.

Sen. Mark: Madam Chairman, I had asked for some clarification on clause 44(3). I would like to have Sen. Seetahal's input on that one. Whether, for instance, the Parliament should be guiding the court as it relates to proposing cost on me if I take action. I believe that should be a matter left to the discretion of the judge.

Sen. Seetahal, S.C.: That is the norm, and I agree with that.

Sen. Jeremie: We will take that out.

Sen. Seetahal, S.C.: There is one query I have, but you may say you want to be consistent so I thought I would raise it. In clauses 41, 42, 43 and continuing there are references to section 28 or 32, but I understand grammatically, it should be sections 28 or 32 unless you say section 28 or section 32. It is a repeated error and, like Sen. Prof. Ramchand, I do not like it.

Mr. Boynes: It is a typo.

Sen. Seetahal, S.C.: And it occurs about eight times, right?

Mr. Boynes: Yes. They will clean it up.

8.00 p.m.

Sen. Mark: Clause 46(2), I know that the Attorney General spoke of some case in order to make reference to the word "may". I believe that the Minister will be called upon to make regulations and it is clear to me that he would have to make regulations. What is the role of the Parliament, given the fact that this is sunset legislation? I would like to suggest that there be some role for the Legislature in this matter, because I have no doubt in my mind—and the Attorney General may wish to convince me otherwise, but I honestly feel that the Minister will be called upon to make regulations and in those circumstances I want to suggest that it be subject to affirmative resolution of the Parliament. It is not to say I do not trust the Minister. I believe that, for instance, we have to be careful that even though it is sunset legislation, we do not arbitrarily impose our will on the population and I believe that the Parliament should have the role in overseeing these regulations.

Sen. Jeremie: I take the point in part. We cannot foresee what might happen in the future. The Minister might have to make regulations. It is not a condition. That is the point that I made, but we would have those regulations subject to negative resolution because of the fact that this is a one-off event and precisely the point that he made, this is sunset legislation—a one-off event—and we want to be agile.

Sen. Seetahal S.C.: So you want to put, “subject to negative resolution”?

Sen. Jeremie: “Subject to negative resolution”.

Madam Chairman: That comes where, under clause 46?

Sen. Seetahal S.C.: Clause 46(2): “may make regulations subject to negative resolution”.

Madam Chairman: Of the Parliament? So that goes in here. So that is an amendment.

So hon. Members, let me put the amendments to you. In Part VI, first of all, clause 44 is amended by deleting clause 44(3).

Question put and agreed to.

Clause 44, as amended, ordered to stand part of the Bill.

Clause 45 ordered to stand part of the Bill.

Clause 46.

Question proposed, That clause 46 stand part of the Bill.

Madam Chairman: Clause 46 is to be amended by inserting in clause 46(2) after the word “regulations” the words, “subject to negative resolution of Parliament”.

Question put and agreed to.

Clause 46, as amended, ordered to stand part of the Bill.

Clauses 47 and 48 ordered to stand part of the Bill.

Clause 2 reintroduced.

Madam Chairman: Are you all ready to go back to what we left out? Remember we have to go back to Part I, clause 2. Are we ready with that amendment? Can you read it for me, please? How will (j) read?

Sen. Jeremie: Madam Chairman, (j) has been redrafted to provide that:

“‘dangerous weapon’ means any—

(a) explosive;

(b) incendiary device...”

Madam Chairman: “or material”.

Sen. Jeremie: No.

Madam Chairman: You take that out?

Sen. Jeremie: Yes.

“(c) firearm;

(d) gas;

(e) weapon;...”

Madam Chairman: Okay, so this becomes (e). So you are taking out that “material” too?

Sen. Jeremie: Yes.

“(f) glass of any description;

(g) ...instrument...”

Madam Chairman: “article and object”, you are deleting that?

Sen. Jeremie: Yes.

“(h) object that may be used as a missile;

(i) such other article or material as may be prescribed by order which may be used to—

(i) maim, disfigure or cause bodily harm or death to a person;

(ii) render a person temporarily paralysed or unconscious; or

(iii) cause damage to property;”

Madam Chairman: Members, did you get that? We are removing “material” in (b); we are removing “material” in (e); we are renumbering downwards and we are removing “article and object” in what was (h) and is now (g) and then in what was (j) and is now (i) will read:

“such other article or material as may be prescribed by order which may be used to—”

And then the (i), (ii) and (iii) after that.

Sen. Seetahal S.C.: Would that (j) now be renumbered—

Madam Chairman: That is now (i).

Sen. Seetahal S.C.: I get it. Because (i) is (h).

Madam Chairman: The (e) has come out so you have renumbered all the way down. Is that clear to everybody?

Sen. Prof. Ramchand: It is “other material, article, object or instrument” or is it just “material, article, object”?

Madam Chairman: “Any article or material that may be prescribed by order which may be used...”

Sen. Seetahal S.C.: Could you just read over the new (i), please, so all of us could get it?

Madam Chairman: Yes. (j) has become (i) and that reads—tell me if I am reading it right. Do you want to read it, Attorney General?

Sen. Jeremie: Yes. “such other article or material as may be prescribed by order which may be used to—”

Madam Chairman: And then (i), (ii) and (iii) remain the same.

Sen. Seetahal S.C.: I just wanted to get it clear.

Question put and agreed to.

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

First Schedule.

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

Mr. Boynes: The proposal I have here is “including Members of Parliament, the Chief Justice”—

Madam Chairman: Including Presiding Officers?

Mr. Boynes: Yes.

Madam Chairman: Thank you very much. [*Laughter*]

Sen. Prof. Ramchand: If we are going to Barbados, their legislation would be similar?

Sen. Jeremie: We will have to negotiate that.

Question put and agreed to.

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

Second Schedule ordered to stand part of the Bill.

Third Schedule.

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

Sen. Seetahal S.C.: “Branded drinks”? So you cannot carry a case of beer?

Sen. Jeremie: Yes.

Sen. Seetahal S.C.: Under the Second Schedule, “branded snacks”, no Holiday Foods, no corn curls, nothing—[*Crosstalk*]

Madam Chairman: Members, can I have your attention, please? In the Third Schedule we are deleting “Brian Lara Stadium” and replacing it with, “UWI/Spec Grounds”. Is that it?

Sen. King: Is the University of the West Indies being included?

Madam Chairman: That is what we just put in there, Sen. King. You are not listening: “UWI/Spec Grounds” in place of “Brian Lara Stadium”.

Sen. King: You all are whispering. That is the problem.

Sen. Mark: Madam Chairman, may I ask the Attorney General, if you just go back for a moment, with your leave, Madam Chairman, and you go to the Second Schedule, I am just dealing with item 15. It is my view that it is very, very broad. Would the regulations capture that?

Mr. Boynes: This is very standard.

Question put and agreed to.

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

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

Senate resumed.

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

ADJOURNMENT

The Minister of Community Development, Culture and Gender Affairs (Sen. The Hon. Joan Yuille-Williams): Madam President, before I move the adjournment of the Senate, let me again thank this honourable Senate for the cooperation displayed this evening. [*Desk thumping*] I am sure it was all done in the national interest. Let me also thank the parliamentary staff who will now have to go to work to prepare the documents which will be necessary for tomorrow morning—[*Desk thumping*]—because the other place starts at 9.00 a.m. I am hoping that you would be able to influence your colleagues to take a page out of your book so that we could have the legislation passed in time so it could be assented to before midnight tomorrow. Thank you all again very much for your cooperation.

Adjournment

Tuesday, October 31, 2006

Madam President, I beg to move that the Senate do now adjourn to Tuesday, November 07, 2006, at 1.30 p.m. At that time I think we are going to have another interesting evening when the Minister of National Security will present a Bill to make provision for the transmission of advance passenger information respecting persons travelling to Trinidad and Tobago and for matters related thereto. If time permits and we are finished with that quite early, we would go on to the second Bill to amend the National Library and Information Systems Act, 1998.

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 8.16 p.m.