

SENATE*Monday, September 28, 2009*

The Senate met at 1.30 p.m.

PRAYERS[MR. PRESIDENT *in the Chair*]**LEAVE OF ABSENCE**

Mr. President: Hon. Senators, I have granted leave of absence to Sen. Michael Annisette who is out of the country.

SENATOR'S APPOINTMENT

Mr. President: Hon. Senators, I have received the following correspondence from His Excellency the President, Prof. George Maxwell Richards, T.C., C.M.T., Ph.D.:

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency Professor GEORGE MAXWELL RICHARDS, T.C., C.M.T., Ph.D., President and Commander-in-Chief of the Republic of Trinidad and Tobago.

/s/ G. Richards
President.

TO: MRS. PARVATEE ANMOLSINGH-MAHABIR

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

NOW, THEREFORE, I, GEORGE MAXWELL RICHARDS, President as aforesaid, in exercise of the power vested in me by section 40(2)(c) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, PARVATEE ANMOLSINGH-MAHABIR, to be temporarily a member of the Senate, with immediate effect and continuing during the absence from Trinidad and Tobago of the said Senator Michael Annisette.

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 28th day of September, 2009.”

Oath of Allegiance

Monday, September 28, 2009

OATH OF ALLEGIANCE

Senator Parvatee Anmolsingh-Mahabir took and subscribed the Oath of Allegiance as required by law.

PAPERS LAID

1. The administrative report of the Petroleum Company of Trinidad and Tobago Limited for the period October 01, 2007 to September 30, 2008. [*The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill)*]
2. The administrative report of the Ministry of Planning, Housing and the Environment for fiscal year 2007 to 2008. [*The Minister of State in the Ministry of Planning, Housing and the Environment (Sen. The Hon. Tina Gronlund-Nunez)*]

ORAL ANSWERS TO QUESTIONS

**Dr. Rupert Griffith and Dr. Vincent Lasse
(Status of Debt Incurred in Judgment)**

- 13. Sen. Wade Mark** asked the hon. Attorney General:

With respect to the judgment in the matter involving the challenge by the Prime Minister, honourable Patrick Manning of the Crossing of the Floor Act relating to Dr. Rupert Griffith and Dr. Vincent Lasse, could the hon. Attorney General inform this Senate of the status of the debt incurred by him?

The Attorney General (Sen. The Hon. John Jeremie SC): Mr. President, in 1997, the then Leader of the Opposition, the hon. Patrick Manning, sought the High Court's intervention for an interpretation on the Crossing of the Floor Act, following the decision by MPs Vincent Lasse and Dr. Rupert Griffith to cross the floor and join the United National Congress, notwithstanding their election to the Parliament as candidates for the People's National Movement.

The recovery of costs in any matter is a protracted process, which includes the preparation and actual taxation of the bill of costs, communicating with the other side requesting payment, the tracing and identification of assets of an unsuccessful party for the purposes of levying execution. The exercise can also be expensive if bailiffs have to be employed to levy on properties and chattels. Chattels when levied upon, require storage or warehousing until sale or auction to realize the debt. There might also be third party or interpleader proceedings challenging the levy or seizure.

The original cost awarded to the State in the 1997 High Court Actions, Nos. 834 and 1000 totalled \$1,153,811.08, with a statutory interest rate of 6 per cent from the date of judgment, which was April 28, 1997. A sum of \$555,000 was paid on account of the award of December 27, 2002. In 1997, there was no other matter in which a sum of money even remotely similar to this had been either awarded to, or collected by the State as cost. No equivalent sum has ever been received by the State as costs in any action at any time ever.

The average quantum of cost awarded to the State in any one matter, which has gone to trial, is normally in the vicinity of \$12,000 to \$15,000, and very often it is presumed that the cost of recovery may outweigh the costs awarded. Matters such as the consolidated matters involving the then Leader of the Opposition, therefore, where joint cost was awarded amounted to just over \$1 million, are extremely rare and an aberration in practice.

At present, the State has no official policy position with respect to the recovery of costs owed to it. Further, the State does not have an official position to treat with the varying circumstances of each case in which costs are awarded. In practice, the State, through the Chief State Solicitor, would pursue costs by written demand to the other side upon an award to the State.

Efforts have been made in the past to address the need for a policy regarding the pursuit and payment of costs to the State. The former Attorney General, Ramesh Lawrence Maharaj SC, had caused to be prepared in 2000, a draft policy treating with the collection of costs awarded to the State. The recommendations of that draft policy are as follows:

1. Costs should be waived in all matters where the orders awarding such costs are over five years old.
2. Costs should be waived on humanitarian grounds where the subject matter of the action is related to applications under the Status of Children Act, applications brought by widows for Letters of Administration or where the litigant, though well intentioned, has through some deficiency in pleading or limitation of time, found himself or herself shut out of the process with costs to be paid.
3. Costs should be waived in matters that involve the interpretation of constitutional provisions, enquiry into constitutional appointments, or matters that genuinely touch and concern the public or national interest.
4. Costs should be waived against litigants who are impecunious, such as condemned prisoners, suspended or dismissed public servants or other persons assessed to be "men of straw".

5. Costs should however be pursued against litigants who have brought tort actions disguised as constitutional motions (in keeping with the analogies used in the *Thakur Persad Jaroo* case decided by the Privy Council which dealt with the detention of a motor vehicle) and in respect of cases that involve no national or public interest.

Costs have, in the past, have been awarded to the State even in circumstances where the action was ill conceived, but well intentioned. Costs have been awarded to the State in circumstances where the issue at hand was one of the interpretation of the law of the land, and the attendant effects that such an interpretation would have on the country's citizenry. Clearly, these are matters which ought to be the subject of a general policy on costs.

Some other matters in which outstanding costs are owed to the State are as follows:

- (1) Court of Appeal Action 30 of 2004, High Court Action 2525 of 2003—*Basdeo Panday v the Attorney General*, in which the amount owed to the State is \$205,043.50 with interest at the statutory rate of 12 per cent per annum accruing from April 22, 2005, which is the date of the Court of Appeal judgment, and up to now. The allocatur was received by the State on May 07, 2007, and written demands for payment were made on May 07, 2007 and September 03, 2007. Mr. Panday's appeal of the above-mentioned Court of Appeal decision to the Privy Council was dismissed on February 16, 2006. That appeal incurred additional costs which were agreed between the parties as £12,000 sterling. The State attorneys in England wrote to Mr. Panday's attorneys, requesting payment of same and no payment has been made to date.
2. Court of the Appeal Action 2006—02959—*Steve Ferguson and Ishwar Galbaransingh v the Attorney General and Chief Magistrate*, in which the amount owed to the State is \$1,095,292. The date of judgment in this case was February 05, 2009. To date, no payment has been received.
3. Court of Appeal Action 43 of 2006—*Chandresh Sharma v the Attorney General*, in which the amount owed to the State is \$160,000. The date of judgment was February 08, 2008, awarding cost in accordance with budgeted costs of June 27, 2006. The order awarding the costs in this matter was perfected on April 30, 2009. To date, no payment has been received.

4. Civil Action 2007—01256—*Balram Singh v the Attorney General* in which the amount owed to the State is \$144,418.75. The date of judgment in this matter was December 17, 2008. To date, no payment has been made.

Thank you, Mr. President. [*Desk thumping*]

Sen. Mark: Mr. President, through you, could the hon. Attorney General indicate whether it is the intention of the Government to formulate an appropriate policy to write off the remaining debt owed to the State by the hon. Prime Minister?

Sen. The Hon. J. Jeremie SC: Thank you, Mr. President. The Government will never formulate any policy which is directed at the Prime Minister and to favour the Prime Minister. It might, and it should, adopt a policy as I had articulated in the answer to the question which treats with the issue generally, and which might include the Prime Minister as any other person in Trinidad and Tobago, including Mr. Panday.

Sen. Mark: Mr. President, could the hon. Attorney General indicate whether it is the intention of the Government to so pursue a policy to write off the debts of the persons that he has mentioned, including the hon. Prime Minister?

Sen. The Hon. J. Jeremie SC: Mr. President, I thought I had answered that question by saying that the Government is not going to pursue a policy which is directed at any person.

1.45 p.m.

We ought to, and the answer that I have given suggests that we will, pursue a general policy with respect to costs, in relation to particular public law matters. Such a policy was proposed by my predecessor, Mr. Ramesh Lawrence Maharaj SC, in 2000. Remember that the debt we speak of was incurred by the hon. Leader of the Opposition, as he then was, in 1997. Mr. Ramesh Lawrence Maharaj SC policy would have included the Prime Minister. That is the best I could do.

Sen. Mark: Mr. President, may I ask my honourable colleague, the Attorney General, whether he could offer this Parliament any time frame for pursuing such a formulation of the policy that you have mentioned? Is there any time frame you have in mind for formulation and approval of such a policy?

Sen. The Hon. J. Jeremie SC: This matter is not one of those that is pressing, so that I can, at this time, give a time frame. There are other issues on my desk which are much more pressing. I cannot, at this time, give a time frame. I

understand that it is an area that requires work, and I will give a commitment to look at the policy that Mr. Ramesh Lawrence Maharaj SC had put forward, to see whether the State might be inclined to go along with those recommendations.

**Nation's Judges
(System of Monitoring)**

36. Sen. Wade Mark asked the hon. Attorney General:

Could the Attorney General outline to the Senate the system of monitoring that is in place in respect of assessing and evaluating the performance of the nation's judges?

The Attorney General (Sen. The Hon. John Jeremie SC): Mr. President, sections 104, 105 and 106 of the Constitution provide for the appointment of judges to the Supreme Court, their qualifications and tenure of office respectively.

Sections 110 and 111 provide for the establishment and functioning of the Judicial and Legal Service Commission, which has responsibility for recommending the appointment and promotion of judges, as well as exercising disciplinary control over persons holding or acting in those positions. Section 137 provides for the removal of a judge from office.

The Attorney General is advised that the hon. Chief Justice receives regular and periodic statistical reports on the progress and disposition of cases before the courts, and takes such action as he may deem necessary.

Regarding complaints of inappropriate behaviour by judges, if upon preliminary assessment such complaints are found not to be frivolous, the hon. Chief Justice may take such action as he deems appropriate. Such action may range from communicating with the judge on the matter, to referring the matter to the Judicial and Legal Service Commission for its attention and action.

Thank you.

**National Academies of Performing Arts
(Details of)**

40. Sen. Wade Mark asked the hon. Minister of Planning, Housing and the Environment:

With respect to the construction of the National Academies of Performing Arts in Port-of-Spain and San Fernando, could the Minister provide the Senate with:

- (a) a detailed status report on the construction of the National Academies of Performing Arts;
- (b) the original estimated cost of construction of the National Academies;
- (c) the initial projected completion dates for both Academies;
- (d) the current estimated cost and new projected cost of the construction of the Academies; and
- (e) the new projected completion dates for the National Academies?

The Minister of Planning, Housing and the Environment (Sen. The Hon. Dr. Emily Dick-Forde): Mr. President, a draft of the response was prepared, but it has not gone through the process of approval. We humbly request a further three-week deferral.

Sen. Mark: Mr. President, may I strongly protest this continued delay. It is now four months since this particular question has been deferred for two weeks, for three weeks, and now we are being told, for the umpteenth time, of another postponement for three weeks. I wish to protest on behalf of the Opposition. I think the hon. Minister is treating this Parliament with contempt.

Mr. President: Senator, it is usually my practice to allow you to do that at the end of question time. On any others, I will ask you to reserve it until the end.

Question, by leave, deferred.

Rental of Cruise Ships (Details of)

47. Sen. Mohammed Faisal Rahman asked the hon. Minister of Finance:

Could the Minister provide the Senate with a detailed account of the cost of renting the two cruise ships to be used as floating hotels for the forthcoming Summit of the Americas?

The Minister of Trade and Industry and the Minister in the Ministry of Finance (Sen. The Hon. Mariano Browne): Mr. President, in July 2008, Cabinet agreed that the Tourism Development Corporation Company Limited be given the responsibility on behalf of the State to charter two cruise ships over the period April 12—April 26, 2009, to meet the shortfall of hotel rooms for the accommodation of delegates and media attending the Fifth Summit of Heads of State and Government of the Americas in Port of Spain.

Oral Answers to Questions
[SEN. THE HON. M. BROWNE]

Monday, September 28, 2009

The following two cruise ships were chartered: The *Carnival Victory*, from the Carnival Cruise Lines, and the *Caribbean Princess*, from the Princess Cruise Lines. Total cost associated with the charter of the *Carnival Victory* was US \$10,143,405.20, and the total cost associated with the charter of the Caribbean Princess was US \$10,934,690.31.

In addition to the cost of leasing the two cruise vessels, the firm of Landry and Kline was also engaged to provide management services for the cruise ship while in Port of Spain at a separate cost of US \$150,000, and under a separate contract.

It should be noted that the cost of chartering the cruise ships has been partly offset by the income derived from participants who were accommodated on the cruise ships during the pre-Summit events and the Summit. In addition, income was also derived from the post-Summit cruises.

The cost of chartering the two cruise vessels, therefore, was as follows: The *Carnival Victory*, \$10,143,405.20; the *Caribbean Princess*, \$10,934,690.31, and Landry and Kline, \$150,000, bringing the total cost to \$21,228,095.51.

The income derived from the pre-Summit and the post-Summit activities amounted to as follows: The revenue from accommodation on the cruise ships, in the sum of \$1,527,430.25. These are all US dollars. Revenue from the on board functions, approximately \$15,335; revenue from the post-Summit cruises, \$1,471,079. The total revenue from use of the cruise ships amounted to \$3,013,844.25. Therefore, the net cost of chartering the cruise ships amounted to \$18,214,251.26.

Thank you.

National Test Results (Details of)

91. Sen. Dr. Adesh Nanan asked the hon. Minister of Education:

- A. Would the Minister indicate to the Senate whether all primary schools in Trinidad and Tobago have received the June 2008 National Test results?
- B. If the answer to (A) is in the negative, could the Minister inform the Senate of the reason(s) for the delay?

The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill): Mr. President, the answer to question No. 91 is not now available. I recommend that we defer this for a period of two weeks. In fact, it came to Cabinet and was referred back to the Parliamentary Questions Committee for correction on a matter of fact.

Question, by leave, deferred.

**Maqueripe Beach Upgrade
(Status of)**

105. Sen. Dr. Adesh Nanan asked the hon. Minister of Planning, Housing and the Environment:

- A. Would the Minister indicate to the Senate any cost overruns on the Maqueripe Beach upgrade?
- B. Would the Minister also state if there was planning approval for the said beach upgrade?

The Minister of Planning, Housing and the Environment (Sen. The Hon. Dr. Emily Dick-Forde): Mr. President, we are awaiting further information for the completion of a response to this question, and we request a further three-week extension, please.

Question, by leave, deferred.

**Association of Caribbean States
(Benefits for this Country)**

126. Sen. Gail Merhair asked the hon. Minister of Foreign Affairs:

With respect to the Association of Caribbean States (ACS), could the Minister advise the Senate of:

- (i) The benefits this country derives from its membership in the Association; and
- (ii) The benefits derived by this country by hosting the Secretariat of the ACS?

The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill): Mr. President question 126 was also submitted and additional information was requested. I expect this should be ready in two weeks' time.

Question, by leave, deferred.

**Columbus Communications Trinidad Limited
(Protection of Customers)**

137. Sen. Gail Merhair asked the hon. Minister of Information:

Could the Minister indicate to the Senate whether it is the Government's intention to take steps to protect customers from the unsatisfactory service provided by Columbus Communications Trinidad Limited?

The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill): Mr. President, the note I have is that this question was on the parliamentary questions agenda for September 28, 2009. I assume that it was approved today and, therefore, would be available next week.

Question, by leave, deferred.

**Ministry of Information
(Details of Port of Spain Property)**

141. Sen. Gail Merhair asked the hon. Minister of Information:

With respect to item 2.72 under Head 57-Ministry of Information at page 110 of the Report of the Auditor General on the Public Accounts of the Republic of Trinidad and Tobago for the financial year 2007/2008, could the Minister inform the Senate:

- (i) What is the address of the property located in Port of Spain for which \$138,000 was paid in rent during the period December 18, 2007 to September 30, 2008; and whether the property was ever occupied during that period?

The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill): Mr. President, having rented a building at 114 Frederick Street, Port of Spain, to accommodate the National Archives, it was determined that the special reconfiguration and outfitting works to meet the specific environmental standards for the preservation of archival material was prohibitive, some \$10 million. The building was, therefore, reassigned for use by the Ministry of Public Administration.

**Fifth Summit of the Americas
(Removal of Homeless Persons for)**

145. Sen. Dr. Sharon-ann Gopaul-McNicol asked the hon. Minister of Social Development:

With respect to the hosting of the 5th Summit of the Americas and the removal of homeless persons off the street, could the Minister inform the Senate of:

- (i) The number of homeless persons removed from the street;
- (ii) The cost of removing these homeless persons off the street; and
- (iii) The number of homeless persons who have since returned to the streets at the conclusion of the Summit on April 19, 2009?

The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill): Mr. President, with respect to question numbers 145, and while I am on my feet, No. 146, they have not yet been submitted. I expect that there is a requirement for another three weeks for both questions.

Question, by leave, deferred.

**Disabled Persons
(Details of Funds Allocated)**

146. Sen. Dr. Sharon-ann Gopaul-McNicol asked the hon. Minister of Social Development:

Could the Minister provide the Senate with the details of funds allocated to each category of disabled persons for fiscal years 2006—2007; 2007—2008 and 2008—2009?

Mr. President: Just to let you know that I do not know how questions Nos. 146 and 147, got through, but we do have a general practice that information like this, going back for four or five years, would normally be approved in the form of a written answer, not for oral answer. This somehow has managed to escape me. The information for that kind of detail takes a tremendous amount of time for the Government to prepare and, therefore, it is not right.

We would normally either truncate the time period back one year or if you wish it for the whole five years then you do it as a written answer.

I do not know what the response of the Government is going to be, but if it is not ready, then you know why.

Question, by leave, deferred.

**High School Population
(Details of)**

147. Sen. Dr. Sharon-ann Gopaul-McNicol asked the hon. Minister of Education:

With respect to students who have dropped out of high school during the academic years 2006—2007, 2007—2008 and 2008—2009, could the Minister indicate to the Senate:

- (i) The total school population for each academic year;
- (ii) The percentage of students that have dropped out in each academic year; and
- (iii) The name of each school, total student population and number of students that have dropped out in each academic year?

The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill): Mr. President, as a responsible government we propose to answer any questions posed to us; however, you are correct. This one is very weighty. I would, therefore, read the summary and request that the Appendix, which is about 20 pages be circulated.

With respect to part (i) of the question, the total school population or enrolment for the academic year 2006—2007, 2007—2008 and 2008—2009 is as follows: Academic years 2006—2007, total population or enrolment 94,470; 2007—2008, 89,410 and 2008—2009, 89,870.

With respect to part (ii) of the question, the percentage of students that has dropped out in each year is as follows: 2006—2007, 0.86 per cent; 2007—2006, 0.97 per cent, and 2008—2009, not yet available.

It should be noted that the calculation of the dropout rate is tabulated only after the end of the academic year and the information for 2008—2009 is, therefore, not available.

With respect to part (iii) of the question, the name of each school, the total student population and the number of students that have dropped out in each academic year is contained in the summary document, which, with the permission of the President, can be tabled for the information of hon. Members.

Vide end of sitting for written part of the answer.

Gang Violence (Details of)

150. Sen. Sharon-ann Gopaul-McNicol asked the hon. Minister of National Security:

- A. With respect to gang violence in Trinidad and Tobago, could the Minister provide the Senate with the details of the model being used to combat the problem; and
- B. Could the Minister also provide the Senate with any evidence of the success of the model being used in other countries, particularly in the Caribbean, Britain, United States of America and Canada?

The Minister of Energy and Energy Resources (Sen. The Hon. Conrad Enill): Mr. President, the answer to this question is available. May I request that we defer this, maybe for tomorrow, when he would be here.

Question, by leave, deferred.

**Red Mite Disease
(Details of)**

151. Sen. Lyndira Oudit asked the hon. Minister of Agriculture, Land and Marine Resources:

- (A) Could the Minister indicate to the Senate the measures which have been put in place, implemented or proposed to stop the spread of the “red mite” disease that has plagued coconut producing areas in Trinidad, and in particular the South West peninsula of Cedros and Icacos since 2005?
- (B) Could the Minister also indicate the extent of the devastation in financial and non-financial terms of the “red mite” to coconut, bananas and ginger producers of Trinidad and Tobago?

The Minister of Agriculture, Land and Marine Resources (Sen. The Hon. Arnold Piggott): The answer to this question is not yet finalized. I would ask for a deferral of, at least, two weeks.

Question, by leave, deferred.

2.00 p.m.

**Recreational Facilities
(Details of)**

152. Sen. Lyndira Oudit asked the hon. Minister of Sport and Youth Affairs:

Could the Minister indicate to the Senate:

- (i) the number and geographical locations of full service recreational facilities, that is, facilities containing jogging/field track, covered bleachers, washrooms, children’s park, full lighting and secured perimeters which are either operational or proposed in Trinidad and Tobago since 2006;
- (ii) the number and location of such recreational facilities that currently exist in Central and South Trinidad;
- (iii) the rationale used to determine rural/urban need of full service recreational facilities in Trinidad and Tobago since 2006?

The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill): Mr. President, the answer to question No. 152 has not been received. I am therefore suggesting a three-week deferral.

Question, by leave, deferred.

**Health Surcharge
(Current Value of)**

153. Sen. Lyndira Oudit asked the hon. Minister of Health:

Could the Minister indicate to this Senate:

- (i) the current value of the Health Surcharge contribution to the national Treasury since 2006; and
- (ii) the ways in which the Health Surcharge has been used to improve health care in Trinidad and Tobago since 2006?

The Parliamentary Secretary in the Ministry of Health (Sen. Wesley George): Mr. President, the data in respect of the amount paid as health surcharge contribution is as follows: 2006, \$168.4 million; 2007, \$170.2 million; 2008, \$195.7 million; as of May 31, 2009, the figure was \$115.5 million with a total of \$649.8 million.

Mr. President, a total of \$648.9 million has been collected in health surcharge during the period 2006 to May 31, 2009. This sum has been deposited into the Consolidated Fund from which funding is disbursed to health care. It is not possible to isolate specific items upon which the \$649 million has been spent and, indeed, the sums in successive years make up fractions of the ministry's budget. For example, the Ministry of Health's budget in 2008/2009 is \$3.6 billion and the total amount collected in health surcharge in 2008 is \$195.7 million. This figure represents 5 per cent of the total budget for health in that year.

However, Mr. President, let me take this opportunity to remind this honourable House of some of the improvements made in the health care system. I will now outline some of the ways in which that money, including the health surcharge money was spent.

Chronic Disease Assistance Programme was introduced in 2003 which benefited approximately 515,000 patients.

The institutional strengthening of medical professions via the United Nations UND Programme began in 2003 which brought us more than 100 doctors.

The surgical waiting list initiative in 2004, through which we completed 12,000 surgical procedures by the end of 2007 and effectively reduced the various waiting lists; the five-year national strategic plan for the prevention and control of HIV and AIDS was created in 2004, while we also developed the prevention of mother to child transmission of the HIV/AIDS Programme; the shift of the Eric

Williams Medical Sciences Complex from a mainly private health care institution to a public health care institution in 2005. This increased facility visits from 23,585 in 2005 to 43,879 by 2006, an increase of 86 per cent. I would like to stress that this is a very important policy initiative since we moved from a paying institution to a non-paying one.

The expansion of the school health programme to address specific health concerns of children particularly for the screening of hearing and visual impairment, from October 2005—July 2008, a total of 68,619 primary school students received hearing screening, also, a total of 29,666 children received vision screening from October 2006—November 2007.

The increase in the number of dialysis machines from a total of 21 in 2002 to a total of 36 in 2007. In our major public health institutions also, the special renal dialysis programme was developed in 2006 to partner with private providers to help persons in need of dialysis.

Adult cardiac care programme in 2003 which had completed 1,671 procedures as of June 2008; patient care assistance programme; the recruitment of foreign health care professionals such as doctors, nurses and pharmacists from Cuba and the Philippines; the national tissue transplant programme which was created in 2006. To date, 38 transplants have been conducted with one being cadaveric. The launch of the organ donor programme in 2007 and development of a poison information centre at the Eastern Regional Health Authority.

Trinidad and Tobago was the first country in the Caribbean to ratify the Framework Convention for Tobacco Control and development of the Tobacco Control Bill; national community care programme which was rolled out in all of the RHAs under this Government. Government has refurbished the Eye Clinic at the Port of Spain General Hospital and established a pharmacy dedicated to ophthalmology services; over 230 free CT/MRI scans, ultrasounds and X-ray procedures have been provided at our public health institutions and financial assistance from \$2.6 million in 2001 to \$21.6 million in 2007 has been increased to qualified persons via the medical aid committee.

Additionally, Mr. President, approximately 30,000 surgeries have been performed; in fact, there has been a significant increase in surgical procedures performed from 2002—2008. More specifically, Port of Spain General Hospital, 4,921 in 2002 to 6,125 in 2008, a 25 per cent increase.

Point Fortin, from 296 in 2002 to 465 in 2008, a 57 per cent increase; Mount Hope Maternity, from 2,285 in 2002 to 3,216 in 2008, a 40 per cent increase;

Sangre Grande Hospital, from 1,385 to 1,558, a 12 per cent increase; and Tobago Hospital, from 984 in 2002 to 1,888 in 2008, that is a 92 per cent increase.

In addition, the following health institutions have been completed and opened: Petit Valley Health Centre; Barataria Health Centre; La Brea Health Centre; the Gasparillo Health Centre; Guayaguayare Outreach Centre and the Gran Couva Outreach Centre.

Significant improvements were also made in our hospitals, for example, the refurbishment of three wards at the San Fernando General Hospital; the reopening of the upgraded Outpatient Pharmacies at the San Fernando General Hospital and Eric Williams Medical Sciences Complex and refurbishment of the neonatal Intensive Care Unit at the Mount Hope Women's Hospital. This must have contributed to the 82.7 per cent decline in the neonatal mortality rate for the period 2003—2007, making it a leading service in the Caribbean.

Finally, the refurbishment of the kitchen at the St. Ann's Hospital and the replacement of 1,000 beds with new state-of-the-art beds.

Thank you, Mr. President.

Mr. President: Sen. Oudit, do you have a supplemental question to ask?

Sen. Oudit: Well, actually yes.

Mr. President: Let me just tell you that again, I have to apologize to the Senate because the first part of that question should not have been approved because that information is available in a public document.

The estimates of revenue that come here each budget year has this information and it should not have formed part of a question. For the Government to answer it is just a waste of everybody's time. So I do apologize to hon. Senators but it should not have been there.

Do you have a supplemental?

Sen. Oudit: Yes, Sir. While I do accept the first part, because he gave me the details of the contribution of the health surcharge for the national Treasury, I would just like to say, certainly what was presented today was an overview of the health ministry per se, but I wanted specifically what was done using the health surcharge.

I know you said it went to the Consolidated Fund, but certainly, other moneys would have come through other forms of the budget. So how did it help per se in the health care sector?

Mr. President: Senator, I think the question was asked and answered. The money does go into the Consolidated Fund and once it is there, it cannot be specifically identified for use and you should understand that from the budget debate. It just goes into a pool and that is it.

So the Minister did what I thought was an excellent job of explaining the fact that it goes into the Consolidated Fund, therefore, it cannot be identified.

**Contracts Re: Office of the Chief Parliamentary Counsel
(Details of)**

161. Sen. Wade Mark asked the hon. Attorney General:

Could the Attorney General outline to the Senate for the period January 01, 2008 to May 31, 2009:

- (i) the names of the various private law firms and/or attorneys-at-law who have been contracted by his office to perform legal drafting duties for or on behalf of the Office of Chief Parliamentary Counsel;
- (ii) the number of contracts issued or entered into between the parties and the detailed character of these contracts; and
- (iii) a breakdown of the cost of each of these contracts?

The Attorney General (Sen. The Hon. John Jeremie SC): Mr. President, the Attorney General has hired no private law firm or individual or consultant to perform legal drafting duties in the period under reference.

As a consequence, no response is possible to parts (ii) and (iii) of the question.

**Drafted Legislation
(Detailed Account)**

162. Sen. Wade Mark asked the hon. Attorney General:

Could the Attorney General provide the Senate with a detailed account of the various pieces of legislation drafted and submitted by the Chief Parliamentary Counsel as well as those drafted by private law firms or attorneys-at-law during the past three years, that is 2007 to 2009?

The Attorney General (Sen. The Hon. John Jeremie SC): Sen. Mark, this question would require me to read into the record the particulars on 100 Bills.

With your leave, I would just indicate what the answer is and circulate the rest of it.

All legislative Bills presented to Parliament are drafted by the Office of the Chief Parliamentary Counsel. Some draft legislation may emanate from other ministries but would necessarily be redrafted to some extent by the Chief Parliamentary Counsel.

What follows is a list of the legislation drafted by the Chief Parliamentary Counsel between 2007—2009; it runs from the Home Mortgage Bank (Amdt.) Act, 2007 to the Evidence (Amdt.) Bill, 2009.

Sen. Mark: Could the hon. Attorney General indicate whether he is aware of any private law firms being involved in the drafting process and once that is so, the Chief Parliamentary Counsel is called upon to redraft those pieces of legislation.

Sen. The Hon. J. Jeremie SC: Yes, a practice has developed by virtue of which several ministries outsource their preliminary drafting work. That is a relatively recent practice.

The extent to which the Chief Parliamentary Counsel has to redraft the Bills and the extent of the Chief Parliamentary Counsel's involvement, it is not clear. In some instances, it might be grammatical errors; in some cases it might be questions as to style, and in some cases it might be fundamental questions as to substance, but that practice has developed over the past couple years.

Sen. Mark: One final question, could the hon. Attorney General say whether as Attorney General, he approves of such an approach by other ministries, or whether the Attorney General is of the view that the Chief Parliamentary Counsel's Office should be beefed up, so that all draftings can come through the Chief Parliamentary Counsel's Office.

Sen. The Hon. J. Jeremie SC: That is a policy position for the Government to take. What I can tell you is Cabinet has approved a Note brought by me to increase the staff establishment in the Chief Parliamentary Counsel's department by almost 100 per cent and that should tell you where my head space is.

Vide end of sitting for written part of answer.

Inspection of Electrical Installation (Status of)

163. Sen. Gail Merhair asked the hon. Minister of Health:

Could the Minister indicate to this Senate:

- (i) the date of the last inspection of the electrical installations at the Port of Spain and San Fernando General Hospitals; and
- (ii) the date(s) of the next or future inspection of the electrical installations at the institutions mentioned at (i) above?

The Parliamentary Secretary in the Ministry of Health (Sen. Wesley George): Mr. President, the electrical installation at the Port of Spain and San Fernando General Hospitals are required to be inspected every five years. This is the standard set by the Government Electrical Inspectorate.

Their inspections are carried out at both institutions by the Trinidad and Tobago Electrical Contractors Limited, the Government's approved agency for this purpose. At the Port of Spain General Hospital, a full inspection of the electrical distribution system was carried out in 2005, another inspection by T&TEC was scheduled for August 2009.

At the San Fernando General Hospital, a full inspection was carried out in 2005, as a consequence of which certain remedial action has been taken with one exception which is being addressed.

2.15 p.m.

In April 2009 a full inspection was done by T&TEC. In addition, the inspection of the high voltage system at the hospital was carried out biannually by the South West Regional Authority. The last such inspection was carried out in June 2007 and the system was found to be satisfactory with another high voltage system inspection to be scheduled for August 2009.

PROCEDURAL MOTION

The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill): Mr. President, I beg to move that Standing Order 18(6) be suspended for the next five questions that we have answers for, particularly since the Minister from the other place is here.

Mr. President: Which are those questions?

Sen. The Hon. C. Enill: Questions Nos. 166, 168, 178, 179 and 180.

Agreed to.

ORAL ANSWERS TO QUESTIONS

Domestic Violence Cases (Details of)

The following question stood on the Order Paper in the name of Sen. Gail Merhair:

- 164.** With respect to the issue of domestic violence in Trinidad and Tobago, could the Minister of Community Development, Culture and Gender Affairs indicate to the Senate:

- (i) the number of cases which have been reported to the police within the last five years;
- (ii) the number of persons who have died as a result of abuse suffered through domestic violence; and
- (iii) the steps taken by the Government in the last two years to combat this scourge?

Question, by leave, deferred.

**Town and Country Planning
(Bribe Taking within)**

166. Sen. Gail Merhair asked the hon. Minister of Planning, Housing and the Environment:

- A. Could the Minister state whether there have been any reported cases of 'bribe taking' within the Town and Country Division of the Ministry of Planning, Housing and the Environment within the last five years?
- B. If the answer to (A) above is in the affirmative, could the Minister indicate what action has been taken?

The Minister of Planning, Housing and the Environment (Sen. The Hon. Dr. Emily Dick-Forde): Thank you, Mr. President. There has been one reported case of bribe taking within the Town and Country Planning Division of the Ministry of Planning, Housing and the Environment within the last five years.

In accordance with the provisions of regulation 88 of the Public Service Commission Regulations, the officer charged with this offence has been suspended pending the outcome of the court matter.

**Investigations into Effects of Absentee Fathers on Young Males
(Details of Findings)**

168. Sen. Gail Merhair asked the hon. Minister of Social Development:

- A. Could the Minister state whether the Ministry of Social Development has undertaken any investigations into the effects of absentee fathers on young males in Trinidad and Tobago?
- B. If the answer to (A) is in the affirmative, could the Minister provide the Senate with the details of its findings?

The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill): Mr. President, I have the answer for this question. It is as follows: The Ministry of Social Development has not undertaken any investigations into the effects of absentee fathers on young males in Trinidad and Tobago. The Ministry, however, through the Central Tenders Board has tendered for a consultant to study on the status of males in Trinidad and Tobago. A contract for this study should be executed shortly.

The study will investigate the role of men with regard to their level of performance in the areas of education, employment and family life. Issues of father absenteeism, unemployment, gender roles, division of labour and problems confronting the contemporary family will be addressed in this study. More specifically, the study will seek to highlight areas where males are more or less likely to achieve; factors that influence male fulfilment of social and economic roles and responsibilities in the family and society vis-à-vis evaluating the male's perception of self and family members and identifying areas where males are under-served with regard to education, employment and male programmes.

Trinitrain Consortium (Details of)

178. Sen. Wade Mark asked the Minister of Works and Transport:

Could the Minister provide the following information in respect of the design, build, operate and maintain contract with respect to Trinitrain Consortium:-

- (a) the length of time or period of the contract;
- (b) the exact contract price involved;
- (c) the number of trains that will be delivered;
- (d) the speed of these trains;
- (e) whether these trains would be diesel driven or electric powered; and
- (f) how many segments would the train system have as well as the number of stations?

The Minister of Works and Transport (Hon. Colm Imbert): Thank you, Mr. President. The rapid rail contract is divided into three phases. Phase one is normally for a period of 20 months for the purpose of planning identification of feasible alternatives, conceptual and preliminary engineering of the preferred

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solution. Phase two, which involves detailed design and construction is expected to last for approximately 39 months; and phase three, operation and maintenance is expected to last for at least 15 years with a government option to break at 10 years.

The exact price for phase one of the contract is stipulated in the signed agreement and expressed in three currencies as follows: Trinidad and Tobago dollars \$55,744,756; in Euros, \$16,678,133 and in US dollars, \$37,797,858. The price for phases two and three will be the subject of negotiation on an open book pricing basis and will be determined later in phase one should the Government decide to proceed with phase two.

With respect to parts (c), (d), (e) and (f) of the question, the number of trains, their speed, the mode of power, segments and the number of stations will be determined following a review of the feasibility options that will flow from phase one.

Sen. Mark: Mr. President, did I hear the hon. Minister say TT \$55 million as well as US \$37 million? Could you just repeat that for me? I am not too clear what you said.

Hon. C. Imbert: Sure. The price is stipulated in three currencies: TT \$55,744,756; \$16,678,133 Euros and US \$37,797,858.

Rapid Rail Project Phase II (Status of)

179. Sen. Wade Mark asked the hon. Minister of Works and Transport:

- A. Could the Minister state whether or not Phase II of the Rapid Rail Project will be put out for public tender?
- B. If the answer to (A) above is in the negative, could the Minister explain the rationale for such a decision?

The Minister of Works and Transport (Hon. Colm Imbert): Mr. President, the design/build/operate and maintain contract between the National Infrastructure Development Company Limited (NIDCO) and the Trinitrain Consortium was executed on June 1, 2008. The prices for phase II, design and construction, and phase three, operation for the proposed segments of the system are to be negotiated and finalized during phase I. At the end of phase I, Nidco and the Government will have three options as follows:

1. to proceed with Trinitrain as the design/build/operate and maintain contractor (DBOM) and commence design and construction for some or all of the proposed segments of the railway system under phase II of the contract;
2. or alternatively, commence a competitive tender process for phases II and/or III for some or all of the proposed segments of the railway system; or
3. put the Trinidad rapid rail transit system on hold.

No decision has been made to date regarding these options. The decision will be made following completion of phase I when the Government will have the full details of the prices negotiated with Trinitrain for phases II and III.

As indicated in the answer to Part (a), the decision regarding the option to tender phases II and III will be made following completion of phase I which is anticipated to be in or around April 2010.

Trinitrain Consortium
(Details of Procurement System)

180. Sen. Wade Mark asked the hon. Minister of Works and Transport:

- A. Could the Minister inform the Senate what procurement system was used by his Ministry in awarding Phase I of the Rapid Rail Project to Trinitrain Consortium?
- B. Could the Minister also inform the Senate of the number of bids received and the names of the companies and/or organizations which submitted tenders?
- C. Could the Minister further inform the Senate what was the final evaluation criteria employed in the determination of the successful bidder?

The Minister of Works and Transport (Hon. Colm Imbert): Mr. President, the procurement system used to award phase I of the Rapid Rail project to Trinitrain was the qualifications-based selection process or QBS. QBS is a procurement method where there is early contractor involvement in the project planning and development of the design and price, together with the Government's consultants.

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Five bids were received from the following entities:

1. Old Quill Trust.
2. Trinitrain Consortium.
3. Trini-Rapid Transit.
4. Mitsubishi.
5. The T-3 Group.

The final evaluation criteria employed in the determination of the successful bidder were as follows:

- (a) evaluation of organizational resources;
- (b) evaluation of resources and experience in system technology;
- (c) evaluation of experience in design/build projects, transit projects and operations and maintenance of same;
- (d) evaluation of management and implementation approach to planning, design, construction and technology; and
- (e) evaluation of the approach of the bidders to operations and maintenance of the system.

These factors or criteria were rated using qualitative and descriptive ratings of exceptional, good, acceptable or unacceptable. Negotiations were subsequently held with the two highest ranked entities out of the five, using the following criteria:

1. an evaluation of the risk allocation under both the finalized design/build/operate/maintain contracts and the extent to which each risk allocation differs from the risk allocation in the draft contract issued by Nidco;
2. evaluation of the extent to which the finalized DBOM contract reflected the requirements of the negotiating plan in relation to such matters as specifications, scope of works and pricing principles;
3. the period of time for completing phase one;
4. the value added by each tenderer;
5. the substance, clarity and quality evidenced by each tenderer's scope of works for phase I; and
6. the capped price and fixed fee for planning activities in phase I.

WRITTEN ANSWERS TO QUESTIONS

The following questions were asked by Sen. Lyndira Oudit:

**Cocoa Programmes
(Details of)**

29. Could the hon. Minister of Agriculture, Land and Marine Resources inform the Senate of the Ministry's programmes, in the different geographical regions of Trinidad and Tobago specifically geared to the planting, harvesting, processing and marketing of cocoa to regional and international markets?

**Motor Vehicles - Ministry of Agriculture, Land and Marine Resources
(Details of)**

132. With respect to motor vehicles under the control of the Ministry of Agriculture, Land and Marine Resources, could the hon. Minister of Agriculture, Land and Marine Resources provide the Senate with:

- (i) a list of all motor vehicles on its register; and
- (ii) the purposes for which the vehicles are assigned?

Vide end of sitting for written replies.

**COMMISSION OF ENQUIRY (VALIDATION AND IMMUNITY FROM
PROCEEDINGS) BILL**

The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill): Mr. President, on Friday, September 25, 2009, the Commission of Enquiry (Validation and Immunity from Proceedings) Bill, 2009 was introduced. At the time of the introduction it was not as yet decided when the next stage of the Bill would be taken. Therefore, I seek leave of the Senate and beg to move that notwithstanding Standing Order 48(1) that the next stage of the Commission of Enquiry (Validation and Immunity from Proceedings) Bill, 2009 be taken on Thursday, October 01, 2009. The Senate will recall that I had given notice of this at the end of the sitting on Friday and I now beg to move.

Question put and agreed to.

RELATED MOTIONS

The Minister of Trade and Industry and Minister in the Ministry of Finance (Sen. The Hon. Mariano Browne): Mr. President, before I move Motion No. 1 which stands in my name, I seek the leave of the Senate to debate

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along with this Motion, Motions Nos. 2 and 3 which are essentially interrelated as they contain substantially the same provisions. These Orders deal with the increase in import and excise duties on alcoholic beverages and tobacco products.

Agreed to.

2.30 p.m.

**CUSTOMS (IMPORT DUTY)
(CARIBBEAN COMMON MARKET) (AMDT.) ORDER**

The Minister in the Ministry of Finance (Sen. The Hon. Mariano Browne): Mr. President, I beg to move,

Whereas it is provided by section 7 of the Customs Act, Chap. 78:01 that the President may by Order increase or reduce any import or export duty of Customs or impose new import or export duties of Customs and from the date of publication of the Order in the *Gazette* and until the expiry of the Order the duties specified in the Order shall be payable in lieu of the duties payable prior thereto:

And whereas it is provided by subsection (2) of the said section that every Order issued under that section shall after four days and within twenty-one days from the date of its first publication be submitted to Parliament and Parliament may by resolution confirm, amend or revoke the Order and upon publication of the resolution of Parliament in the *Gazette*, the resolution shall have effect and the Order shall then expire:

And whereas the Customs (Import Duty) (Caribbean Common Market) (Amendment) Order, 2009 was made under section 7 of the Customs Act and first published in the *Gazette* on the 07th day of September, 2009:

And whereas it is expedient to confirm the said Order:

Be it resolved:

That the Customs (Import Duty) (Caribbean Common Market) (Amendment) Order, 2009, the contents of which are set out below, be confirmed:

L. N. No.
50 of 1980

1. The Customs (Import Duty) (Caribbean Common Market) Order, 1980 is amended in the Schedule by deleting all the Tariff Heading Numbers from 2202.90.20 to 2403.10.00 and the respective Tariff Descriptions and Common Market Rates of Duty in the First, Second and Third Columns, respectively, and substituting the following:

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"FIRST COLUMN <i>Tariff Heading Number</i>	SECOND COLUMN <i>Tariff Description</i>	THIRD COLUMN <i>Common Market Rate of Duty</i>
2202.90.20	Malt Beverages	\$0.26 per litre at an original gravity of 1050° and so in proportion for any difference in quantity or gravity.
2203.00.10	Beer	\$4.28 per litre at an original gravity of 1050° and so in proportion for any difference in quantity or gravity.
2203.00.20	Stout	\$4.28 per litre at an original gravity of 1050° and so in proportion for any difference in quantity or gravity.
2203.00.90	Porter and Ale	\$4.28 per litre at an original gravity of 1050° and so in proportion for any difference in quantity or gravity.
2204.10.00	Sparkling Wines	\$29.33 per litre.
2204.20.00	Other Wine; grape must with fermentation prevented or arrested by the addition of alcohol:	
2204.21.00	In containers holding 2 litres or less	\$13.69 per litre.
2208.30.00	Whiskies:	

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“FIRST COLUMN <i>Tariff Heading Number</i>	SECOND COLUMN <i>Tariff Description</i>	THIRD COLUMN <i>Common Market Rate of Duty</i>
2208.30.10	In bottles of a strength not exceeding 46% vol.	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
2208.30.90	Other	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
2208.40.00	Rum and other spirits obtained by distilling fermented sugarcane products:	
2208.40.10	In bottles of a strength not exceeding 46% vol.	\$66.04 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
2208.40.90	Other	\$66.04 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
2208.70.00	Rum Punch	\$66.04 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
2208.50.00	Gin and Geneva:	
2208.50.10	In bottles of a strength not exceeding 46% vol.	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.

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“FIRST COLUMN <i>Tariff Heading Number</i>	SECOND COLUMN <i>Tariff Description</i>	THIRD COLUMN <i>Common Market Rate of Duty.</i>
2208.50.90	Other	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength
2208.60.00	Vodka	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
2208.70.00	Liqueurs and cordials	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
2208.90.90	Other Potable spirits	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
2208.20.00	Spirits obtained by distilling grape wine or grape marc:	
2208.20.10	Brandy, in bottles of a strength not exceeding 46% vol.	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
2208.20.90	Other	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.

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“FIRST COLUMN <i>Tariff Heading Number</i>	SECOND COLUMN <i>Tariff Description</i>	THIRD COLUMN <i>Common Market Rate of Duty.</i>
2402.10.00	Cigars, cheroots and cigarillos, containing tobacco	\$26.23 per kilogram
2402.20.00	Cigarettes, containing tobacco	\$3.81 per pack of 20 and so in proportion when not so packed.
2403.10.00	Smoking tobacco, whether or not containing tobacco substitutes in any proportion	\$49.78 per kilogram.”

Mr. President, as I have indicated, Motions Nos. 1, 2 and 3 were items which were introduced as fiscal measures in the Budget Speech, which took place on September 07, 2009. The respective laws under which these Orders are made, require the Orders to be confirmed by Parliament and after four days and twenty-one days from the date of their publication, the relevant laws are in the case of the Customs (Import Duty) (Caribbean Common Market) (Amdt.) Order, 2009; the Customs Act, Chap. 78:01 and in the case of the Excise Duty (Alcoholic Beverages) Order, 2009 and the Excise Duty (Tobacco Products) Order, 2009, the relevant law is the Excise (General Provisions) Act, Chap. 78:50.

The new rates of excise duty in some of the more popular locally-produced alcoholic and tobacco products are as follows: beer has been increased by \$.056 from \$3.72 per litre to \$4.28 per litre; rum has been increased by \$8.61, from \$57.43 per litre to \$66.04 per litre; whiskey and blended whiskey is now \$140.08 per litre, an increase of \$18.27 from the previous \$121.81; and cigarettes have gone up by \$0.50, from \$3.31 per pack of 20 to \$3.81 per pack of 20.

In addition, with effect from September 08, 2009, the import duties on alcoholic beverages and tobacco products are common market origin and have also been increased by 15 per cent. These are products which are manufactured

within the Caricom region and consigned from the port of a Member State to Trinidad and Tobago. The 15 per cent increase is consistent with our obligations under the Caricom Treaty, which require that goods of Caricom origin not be discriminated against.

The new import duty rates on alcoholic beverages and tobacco products are Common Market origin necessitated amendments to the Schedule to the Customs (Import Duty) (Caribbean Common Market) Order, 1980. The new rates of import duty are the same as the excise duty on these products. The customs duty payable on alcoholic beverages and tobacco products imported into Trinidad and Tobago from extra-regional sources has now been increased by 30 per cent with effect from September 08, 2009.

It should be pointed out that there is no requirement for the Government of Trinidad and Tobago to obtain the prior approval of Member States of COTED or alternatively the Council of Trade Ministers, in order to increase the rates of duty payable on alcoholic beverages and tobacco products. The common external tariff has therefore been increased on these extra-regional products. This increase is reflected in an Order entitled the Customs (Common External Tariff) (Amdt.) (No. 2) Order, 2009, which as noted earlier, took effect from September 08, 2009 and was issued by the President, through the Secretary to the Cabinet, under section 8 of the Customs Act. There is, however, no requirement for this Order to be confirmed by Parliament.

Effective taxes on alcoholic beverages have been falling, if only because they are not a constant percentage of price, but rather a flat amount, based on unit volume. In other words, they are not an ad valorem tax. In this situation, as prices rise, the relative importance of these taxes fall, unless Government raises them, as we now propose to do.

In fact, the index of retail prices for alcoholic beverage and tobacco recorded on year increases of 9 per cent, 12.8 per cent, and 7.6 per cent to the month of June 2007, 2008 and 2009. These are the price increases since the last increase in liquor, beer and wine taxes in 2006. Clearly, given that the excise duties as set out, are flat amounts per unit of volume, then it must be the case that the total volume of revenue from excise duties as a per cent of total sales of alcoholic beverages in Trinidad and Tobago have been declining between the period 2007—2009. I say that once again, because as prices rise it is not an ad valorem tax; it is a flat tax. The underlying prices of spirits rise in accordance with the market volume. The relative level of excise duty remains flat and does not increase with the increase in prices.

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Apart from the revenue losses to the Treasury, the reduction in the effective rate excise duty has helped to reduce the relative price of alcohol over time and in so doing, provided a particular break for price-sensitive underage drinkers. It is estimated that the modest increases in excise duties on alcoholic beverages and tobacco, programmed from this 2010 budget, will realize \$80 million in additional revenue. We are acutely aware and we are sensitive to the fact that cheap booze puts it in easier reach of young adults and in some instances children.

On this basis alone, we consider that the new rates of excise duties on alcoholic beverages and tobacco are indeed overdue and well justified. Raising the duties on alcoholic beverages and on cigarettes is justified because the \$41.6 billion in tobacco and alcohol tax revenues over the past three years does not even come close to offsetting the staggering public health and safety costs of alcohol and tobacco consumption.

I might add that there are a number of adverse effects of alcohol consumption and a number of disease conditions which are wholly attributed to alcohol, which include alcoholic psychosis and alcohol dependence syndrome such as diseases affecting the nerves and the heart, the stomach and the liver; all of which have an impact, in terms of the public health care. I am sure Sen. Dr. Nanan will and can in fact develop on those. I depend upon his good judgment and his knowledge of the sciences to assist us in that deliberation.

In the Lower House, the Leader of Government Business, the Minister of Works and Transport, gave an ample exposition of the number of health worries, which in fact actually pervade our health system at this time, which arise from the use of alcohol and tobacco products.

One of the important concerns of this Government is to change the way in which the society addresses destructive tobacco and alcohol consumption behaviours. We are of the view that the most sensible basis for this policy is to foster rational and informed consumption decisions, if only through the mechanisms of the market or price. These initiatives involve increasing cigarette and alcohol taxes. It affords an opportunity for a substantial win, in that it promotes behavioural changes that result in an enhanced quality of life for our citizens, leading to lower associated health care costs and most importantly helps to save lives. Any number of studies have established the correlation between tobacco consumption and alcohol consumption and medical care costs. It is in part this Government's objective to reduce the financial burden on the State for the health care treatment of medicinal or medical conditions associated with lifestyle health risks that emanate from alcohol and tobacco consumption.

We expect that this initiative would also serve to steer young smokers and drinkers away from these habits, as they tend to be responsive to price than older persons are. When coupled with other Government initiatives, the targeted effect would be to reduce the exposure of our young to this negative practice. Increasing duties on alcohol and cigarettes is not like taxing hard-earned income, nor is it like taxing bread. We definitely prefer increases on alcohol and tobacco consumption over any cut in spending on education, health care, national security and especially to our infrastructure and social programmes, in order to reduce our deficit.

These taxes, however, produce a modest increase in revenues and ought not to be noted from their position of generating additional revenue, but from the fact that we wish to reduce the nuisance value and the difficulties associated with consumption of alcohol and tobacco. Industry data clearly suggest that consumptions of all kinds of imported alcohol rise sharply with rises in income. They are positively correlated.

Excise duties on locally-manufactured spirits and import duties on alcoholic products of common market origin are increased 15 per cent in comparison to the 30 per cent for alcoholic products from extra-regional sources. In the case of tobacco consumption, persons who stop smoking even well into middle age, avoid most of their subsequent risk of lung cancer and stopping before middle age avoids 90 per cent of the risks attributable to tobacco. We understand clearly, that future mortality could be substantially reduced by current smokers giving up the habit and also current medical treatment costs.

Most Trinidadians and Tobagonians would barely notice higher alcoholic beverage taxes. However, 20 per cent of drinkers who consume 80 per cent of the alcohol would have to dig a little deeper into their pockets, but even if so, this outcome is a favourable one, in that it will cause some to forego the last drink for the road. This is an ideal opportunity to marry a fiscal responsibility and progressive public health and social policy.

Only shortsightedness would allow a budget in which health and social safety net support for the most vulnerable amongst us is traded off, when a source of revenue is at hand and not only reduces the deficit but also discourages consumption that severely compromises public health and safety. Increases in excise duties on alcohol and cigarettes to preserve critical social safety net programmes is a policy position we could all, in good conscience, endorse.

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In arriving at the appropriate taxation regime for alcohol and tobacco regulation, we are mindful of the objective to be obtained. Alternative taxation solutions have been considered which resulted in appropriation of cost in varying degrees between producers and consumers.

The Government is of the view that the optimal allocation with the tax burden should be the one that discourages consumption and, therefore, better aligned social and private incentives. From the standpoint of social efficiency, the Government endorses the linking of the burden of taxation to consumption, so that the eventual result would be to make product purchasers recognize the social cost of their consumption decision.

Mr. President, following Trinidad and Tobago's ratification of the World Health Organization Convention on Tobacco Control in 2004, a national tobacco control committee was appointed to develop a national tobacco control plan to facilitate the convention, and the revised Tobacco Bill is now before the Parliament.

The Government's non-smoking campaign to intervene in tobacco control will include the following measures:

1. The introduction of price and tax measures to reduce the demand for tobacco and smuggling.
2. Implementation of measures to protect the population from exposure to tobacco smoke.
3. Regulation of the packaging and labelling of tobacco products.
4. Regulating tobacco advertising, promotion and sponsorship.
5. Monitoring and evaluation of the plans and programmes implemented to determine the impact on tobacco use.
6. Implementation of tobacco dependence reduction and cessation programmes.
7. The re-launch of community club and health walks for preventative care.
8. Seminars for preventative care.

Mr. President, we expect to work with NGOs and other private sector organizations as an important part of this public policy initiative as part of our arsenal to achieving our objectives relating to behaviour modification to alcohol and tobacco consumption.

Our private social partners and private sector partners also have a crucial role to play in this campaign. The Government also endorses modern technological improvements that will enhance the safety of tobacco consumption.

Mr. President, on the basis of the foregoing, I beg to move.

Question proposed.

Mr. Vice-President: Just to remind Senators, you may speak on Motions Nos. 2 and 3.

Sen. Wade Mark: Mr. President, thank you very much. The Minister of Trade and Industry and Minister in the Ministry of Finance has attempted to advance the Government's policy and rationale for these measures and the associated cost. He spent a relatively long period of time explaining the efficacy of these measures as they relate to health versus medical diseases and challenges that citizens would obviously be exposed to.

No one can argue with the need for a social policy aimed at educating; aimed at informing; and aimed at promoting and even preventing, as far as possible the consumption of alcohol, as well as the consumption of tobacco through smoking. So, on a purely health front, we have no problems with a measure that is designed to promote and prevent the extreme consumption of alcohol and the use of tobacco. But there appears to be a conundrum in the Minister's presentation, and it arises when we go back to the budget statement presented by the hon. Minister where on page 41, we are told that the purpose of these measures is designed to promote and ensure healthy lifestyles in our society, hence the reason cigarettes and tobacco products are to be increased.

We are told in the document and we are reminded today by the hon. Minister that the Government remains committed to the promotion of healthy lifestyles and it proposes to increase the excise and import duty on tobacco products of common market origin and the tobacco tax on extra-regional tobacco products, all by 15 per cent, and that this measure is expected to contribute an additional \$30 million to Government's revenues.

On the one hand, we are being told that it is designed to promote healthy lifestyles and, on the other hand, we are being told in the budget document that it is really a revenue raising measure on the part of the Government. Similarly, when we look at alcohol and spirits, the same argument is proffered and that is, it is designed to achieve the same objective, but the Government is expected to realize a revenue amount totalling \$50 million.

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So, combined, the Government is expected to raise roughly \$80 million from tobacco and cigarette products as well as alcohol and other spirits. We are told by the hon. Minister that this is all part of the Government's grand design to promote healthy lifestyles in our nation. We find it very hypocritical on the part of the Government to be speaking in double tongues I should say, or engaging in doublespeak, because nowhere, apart from the end of the Minister's presentation, he made reference to certain measures that they intend to pursue. It seems more like an afterthought rather than a deliberate decision on their part.

I believe that the truth must be told, and the Government must tell the country the truth. This is because the Government has embarked and has engaged on what could easily be described as large scale mismanagement of this country's resources over the last eight years, and we are being called upon today to support a measure which, in principle, we would have no objection to, because we on this side would like to see people in this country living a more healthy lifestyle. We do not have a problem with us educating the people and promoting a better lifestyle for them. When we look at the measures and the rationale that was advanced by the Minister—I am going to show you the practical effects of it as I proceed at the end of the day.

May I refer to an editorial in the *Newsday*? My colleague always says to me that I am more wrong than right, but I would like to refer my hon. colleague to an article in the *Newsday*. I am not going to bore you with the entire editorial, but I am going to read about two paragraphs for the Senate in order to make the point which I would like to elaborate. The headline is "Flawed logic" and it says:

“The Government's stance in hiking the taxes on alcohol and tobacco in the 2009 to 2010 budget is full of contradictions and inconsistencies.

Finance Minister, Karen Nunez-Tesheira, claimed the tax-hikes would contribute to healthy lifestyles, implicitly by curbing consumption of alcohol and tobacco.

However we are concerned that the Government failed to produce sufficient evidence that alcohol and tobacco use locally is so harmful that it needs to be curbed, and that any tax-hikes imposed would in fact dampen consumption in Trinidad and Tobago.”

It goes on to say:

“All we heard is a relatively junior minister, in a late night contribution, claim that locally alcohol is linked to 66 percent of road deaths and 50 percent of drowning deaths, while another minister merely cited some studies done in the United States...

In the main however the Government simply seemed to be relying on anecdote...”

The hon. Minister also:

“...could not specify any time that Cabinet had ever sat down and adopted the position that this country had problematic consumption of alcohol and tobacco...”

In fact, this article goes on to say that the Government has not provided the Parliament with any local study in order to justify what its proposals are in the budget.

I wanted to share this article because I share this particular viewpoint. I believe the Government's logic seems to be a bit flawed. On the one hand, the Government is saying that it is trying to curb consumption to promote healthy lifestyles but, on the other hand, the Government is raking in \$80 million, and they have not told this Parliament where this \$80 million is going to go to. Is it going to go toward the establishment of rehabilitation centres? Is it going toward the promotion of preventative rehabilitation centres? How will this \$80 million that you are raking in from alcohol and cigarette consumption help those persons whom you are seeking to help as you so hypocritically claimed that you are seeking to help?

We believe that the Government is just scraping the barrel. The Government has bankrupt the Treasury; the money has been blown to smithereens by an uncaring Government that has mismanaged this economy for the last so many years, and now they are scraping the barrel, and the hon. Minister comes here to tell us that they are really trying to promote healthy lifestyles. Do not fool us, please. Let us be serious.

3.00 p.m.

If you really want to promote healthy lifestyles, let us begin by educating the people; let us begin with a programme of serious advisements, where you would be going from the school right up to the adult level in this country; at the primary school level, at the kindergarten level, at the secondary school level, at the tertiary level. You embark on a programme of education so that you can provide people with a new sense of consciousness if you are serious about trying to curb, as you claim, alcohol and smoking in our country.

I want to remind the hon. Minister and he would know because he did some economics at UWI; he has a Masters degree in Business Administration; he would have done some basic advanced level economics. The hon. Minister in the Ministry of Finance, I know that he had some knowledge in economics. I was going through some of the articles since the announcement made by the hon.

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Minister of Finance, and I just want to share with you some of the articles and some of the reactions. In the *Express* of Wednesday, September 09, 2009, there was an article headed:

"Increase could cause cigarette black market"

I do not know if the hon. Minister has taken that on board that the more you increase these products, which by the way, are inelastic in nature—The elasticity of demand in this context would tell us that there are certain products, no matter how high you raise your prices, the poor and ordinary people would continue to reach and buy them, and these products called alcohol and cigarette are such products. That is why there has been no outcry by the business sector.

You know normally when the Government imposes taxes on this nation and they impact negatively on the business community, they bawl, they shout to the heavens, they protest, they seek the support of the labour movement, in order to protest the Government's imposition. This “rounds” they are very quiet, and you know why they are quiet? You know why they have not protested, Mr. President? As soon as they increased the price on alcoholic beverages from \$8 a beer to \$9, and in the bars and rum shops it is now \$11, they have simply passed on the increased cost or the increased price to the consumer. So why bawl? Why cry when the ordinary man will now have to pay the full cost of this particular product, from \$8 to \$9 and in the bars from \$9 to \$11?

So, we try to appreciate what is the real objective behind these increases. We say the Government is scraping the barrel. After you have blown \$300 billion in eight years, they are now scraping the barrel, and to come and tell us in this Parliament that you are promoting or your objective is to promote healthy lifestyles, is being hypocritical. You are not serious. You are trying to mamaguy somebody.

Mr. President, I want to share with you another article in the *Express* of Wednesday, September 09, 2009. The headline was "I still have to drink". The ordinary man said:

"Rum, cigarette hikes not expected to cut sales"

The ordinary man in this country who would pay the price for the Government's mismanagement of this economy through higher prices.

Hear what another newspaper had to say about these increases in alcohol and tobacco prices. *Guardian*, Wednesday, September 09, 2009, page 7:

“Drinkers not worried about increases

‘Rum till I die’”

One particular person who was interviewed said:

“You think them could ever get me to stop drinking and smoking. I going to my grave with alcohol, I is a rum cork,...” [Interruption]

I am reading it to show you are hypocritical. How are you going to curb this "fella"? He is a rum cork; rum until I die. I am saying to this Government that they are simply engaging in doublespeak. They are not very serious about curbing consumption of alcohol. They not serious about curbing bad habits in terms of smoking in this country. If they were interested, they would have already embarked upon a programme of education decades ago, so we would not have the problems that we have today.

Mr. President, I want to remind the hon. Minister in the Ministry of Finance, he made a very important point. He said the higher one's income is the more the tendency is to purchase and to engage in alcoholic consumption. I want to remind him that Trinidad and Tobago is in a state today whereby or in which, the Government has imposed a virtual wage and salary freeze on the workers of this country. I want to know where this extra income is going to come from.

If your objective is to curb and you are logically advancing, the higher your income is the tendency for you to consume more, and therefore, I am going to impose this tax, in order to prohibit and stop you from consuming. I am telling the hon. Minister that workers' salaries and their wages have already been frozen. You have now stated publicly, I understand, that workers can only receive a 3 per cent increase in salary over the next three years. One per cent in one year, one per cent in another year and one per cent in the third year. That is what I understand, if that is not true, tell me, but that is what I understand you are doing.

Mr. President, may I again just engage you in another article, *Guardian*, Wednesday 09, September, 2009, page 9, a director from AS Bryden, headline: "Higher taxes won't stop drinkers". Just one paragraph, Sir, let me just engage you:

"Upward adjustments in the price of alcoholic beverages through increases in its taxes, would have little impact on consumption."

This is what is being said by a gentleman called Mr. Allan Fitzwilliam. He is a director of Bryden and they import all the drinks the Prime Minister has at his residence and when they had the Summit of the Americas and the CHOGM that is coming. Here are the kinds of drinks that they would have available for their

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friends: Johnnie Walker Black Label whisky, Bailey's Irish Cream, vodka, Hennessy Cognac and champagne. These are the products that this gentleman is saying would not be affected. He said:

“We see this as a negative. All over the world, where it is you are trying to raise revenue...”

Because this gentleman, Alan Fitzwilliam, is clear that the Government is not really trying to curb, improve and promote healthy lifestyle, he is convinced that the measure is to raise revenue. So, the Government did not con him, did not fool him rather. He is saying all over the world, where it is you are trying to raise revenue it is one thing to get income, but if you are trying to have a reduction, Minister in the Ministry of Finance, in the consumption of alcohol, it is not the way to go. It cannot be!

So, this director of Bryden is telling you that if you want to curb consumption, and you want to improve healthy lifestyles, your imposing taxes on cigarettes, tobacco products and spirits is not the way to go. You are fooling yourself. *[Interruption]* It is not you; it is not Hadeed; it is a "fella" called Alan Fitzwilliam and he is the director of Bryden.

Mr. Vice-President, all I am saying to the hon. Minister in the Ministry of Finance, through you, is that if you want to bring about changes in habits and behaviour, do not come and preach morality for us. Sometimes you give us the impression that you want to legislate morality. You do not like casino gambling, you want to outlaw it. That is a moral question.

Sen. Browne: Regulate it.

Sen. W. Mark: Yes, I say you regulate behaviour. Yes, of course, you can regulate behaviour, but you cannot legislate morality, and you cannot seek to impose your will on people. One writer in the *Newsday* on Friday, September 18, 2009, on page 11, called on the Government not to serve alcohol at their functions.

If you want to lead by example, if you want to be a model in this particular drive, to promote healthy lifestyles, then the first thing that they must do is lead by example and all Government functions should be the first to demonstrate their commitment to what they are trying to get the ordinary people to do. Curb your consumption habits at Government functions. This particular individual, Kay Ramnarine, is calling on the Government to ban drinking of alcoholic beverages at state functions, including the Commonwealth Heads of Government Conference that is supposed to take place in November.

You see people are being very cynical in this particular situation because they realize that the Government is being very hypocritical. They are not serious about what they are saying, because if they were serious the Prime Minister in the other place, when a point was made about leading by example and stopping alcohol being served at their functions, said no, that would interfere with people's freedom of choice and the people must have a free will to drink. He is saying that on the one hand, but we have the hon. Minister in the Ministry of Finance saying, you know the real purpose of this measure is to promote healthy lifestyles. Where is the example?

I believe that if this Government is serious about promoting healthy lifestyles, I want to refer them to an article in today's *Express*, it is headed:

“Expert: Unhealthy foods killing Caribbean people”

They did not say unhealthy drinks; they did not say unhealthy cigarettes, they say food. Let me give you an example of what is being said here. The article reads:

"About sixty per cent of the diseases which Caribbean people die from are preventable and are caused by unhealthy eating habits and the consumption of artificially processed foods, according to chief coordinator of the Caribbean Agricultural Farmers Network,...Mr. Greene."

He went on to say:

“...the main killers in the Caribbean diet at present are ‘white rice, white sugar and white flour’.”

This is what is being said here. I am saying if the Government is interested in promoting healthy lifestyles, it cannot be confined to tobacco and cigarettes.

3.15 p.m.

Here we are being told that these fast food outlets—and I have no problem with any businessman making money. I think we live in a capitalist society, profit is the motive that drives you and you have to make your money. That is the system in which we live. Until we change that system that is what we live in and so on. We know that a businessman will get into business to make money and to enjoy profits. But there is a price that people have to pay. I am saying that one of the areas that Government should be looking at very seriously is promoting healthy intakes of food in this country because too many of our young people have gone into the fast lane or fast food and it is having a debilitating impact on their health as well.

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So I am suggesting, through you, Mr. President, to the hon. Minister in the Ministry of Finance, that one of the areas that he should pay attention to as he seeks to promote healthy lifestyles for citizens of this country, is to pay attention as well to what is affecting people in this country in terms of unhealthy foods that really generate diabetes, hypertension, heart problems, coronary diseases, et cetera.

So, I wanted to share these perspectives with the hon. Minister because we cannot really see and appreciate that these taxes that are being imposed on the country at this time are going to bring the kind of beneficial effects that the Minister would like us to believe. These are punitive taxes, these are nuisance taxes and these are taxes of harassment by this Government. I would not be surprised if shortly we are told by this Government that they are going to introduce a tax on bicycles, the way how they are going.

Sen. Enill: We did not think of that one.

Sen. W. Mark: Yes, a dog tax might be introduced. That might be next. Whoever owns a dog might have to pay a tax. It appears that the Government is scraping the barrel and this is what is happening today and it all has to do with the Government's mishandling of the economy of Trinidad and Tobago.

Mr. President, may I remind you and I want to remind the hon. Minister in the Ministry of Finance, you know, we have a contradictory bunch of Ministers. One is saying something and the other is saying something else. The hon. Prime Minister, in the heat of the downturn, came in a television address and told the whole nation, "tighten you belt, restraint must be introduced now" and then within two months he said, "listen, it is time to loosen your belt". Just last two weeks the Prime Minister is saying "tighten you belt". The Government just does not know how to manage this country and they are sending different signals to the people, so the Government is not serious. They do not know how to manage this economy and people are experiencing heartaches as a result of this Government's inability to manage this economy properly and it is all over the place.

We are not surprised that the Government is now seeking to do what it is doing. Would you believe that in the last seven to eight years instead of taxing the people \$18 million to come from tobacco, cigarettes, alcohols and spirits, the Government would have gotten that money easily from their propaganda vote. Would you believe that they have spent in their propaganda vote, publicity, overseas travel and entertainment for the last seven and a half years over \$5 billion. In their propaganda vote over the last seven and a half years, the

Government has spent over TT \$5 billion and they come today to tax the ordinary people of this country and you are fooling them on the basis that you want to promote healthy lifestyles. The Government blew it. The money done, as Dr. Keith Rowley, Member of Parliament for Diego Martin West said. The money done! The Government has blown all our gas boom and oil boom in the space of a few years and they now come scraping the barrel and trying to implore people that they must engage in healthy living and lifestyle.

I remember a former High Commissioner of Canada, “rum till he dead; rum till I die” and the police in Canada had to pull him up. They almost jailed him, but do you know why he was saved? He was a diplomat. He believed in rum. You could not get him to live a healthy lifestyle, he was exercising choice but he was doing it in a mad way. He could have killed people in Canada, but do you know what, because of his diplomatic immunity he was saved from making a jail in Canada.

Sen. Hadeed: [*Inaudible*]

Sen. W. Mark: You do not worry. I want to congratulate you for your 100 years of arrival in Trinidad and Tobago. [*Interruption*] Do not worry about our front bench.

I want to indicate to this honourable Senate, to what extent—and maybe the Minister could indicate that to us—the excise duty on locally manufactured tobacco products, having been increased, both in terms of alcohol and tobacco, whether he is of the view that this matter has been carefully thought out in terms of its possible impact on the local industry. We know that one of the areas that the Government would have to pay attention to and I do not know if they have studied it very carefully, having increased alcoholic beverages in 2006 and within a space of three years, they have increased it a second time, what impact the Minister anticipates these increases are going to have on smuggling contraband? Has the Minister taken that on board, the importation of contraband products from other countries? I do not know.

I remember, Mr. President, a Minister telling this country when they increased the price of gasoline and diesel that the Minister did not believe that would have had an impact on transportation cost. That is what a Minister of Government who is now in Canada as a High Commissioner told this country. So I want to ask the hon. Minister whether he is aware that his action could bring a reaction in terms of smuggling and contraband goods, and whether you have catered for that, because, already you want to disband the Customs and Excise department. You want to bring something called the Trinidad and Tobago Revenue Authority with

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only contract workers, which is a kind of slavery that you are trying to reintroduce here. So, I want to know if you have taken that into account and what impact that is going to have on the very revenue raising measure that you intend to realize, because if you have smuggling, if you have contraband goods and if you have a black market that certainly will have a negative impact on the realization of the revenue that you would like to experience in 2010.

Now, the Minister has said that the import duty on alcoholic beverages and tobacco products from Caricom will not generate any kind of negativity. Let us hope it does not, because Caricom could easily accuse us of suppressing their exports by imposing higher taxes on their products. So that is an area we would need to look at—and the customs duty which has been increased on alcoholic and tobacco production outside Caricom. This would mean—I do not know if the Minister has taken this on board—that you have not only increased tobacco products in terms of prices from Caricom, but you have also increased those products coming extra-Caricom.

So does that mean, Mr. Minister in the Ministry of Finance, that there will be two increases, essentially, on tobacco products since tobacco tax has already been increased and now the customs duty has to be increased and has been increased as well? I do not know if the hon. Minister has taken that on board that you may have had increases on both taxes.

You know we live in a small society and I would like the Attorney General to probe this one. He is not here. I have received information from impeccable and reliable sources that businessmen in this country were tipped off. I have been informed. I cannot say by whom, but you know what? I have information, men who had warehouses of alcoholic beverages in different parts of this country and who had imported cigarettes and tobacco products, Caricom and extra-Caricom, were tipped off in advance. Do you know what? They rushed before the budget presentation here on that fateful Friday—they rushed during the course of the week leading up to that Friday and paid their own duties, they paid moneys on huge warehouses of alcoholic beverages and tobacco products before the duties were announced by this hon. Minister in the Ministry of Finance.

How did these businessmen know that the duties on tobacco products and on alcoholic beverages, both in Trinidad, outside Trinidad, Caricom and extra-regionally were going to be increased? If you want to check, check the customs. You go and check the customs department, Minister and see who these businessmen are, and they have made a killing. They are raking in millions and millions of dollars on the poor people of this country, because somebody likes to

yap. Somebody's mouth likes to yap and they went and told those persons and ordinary people are now being called upon to pay—a beer is \$11 in a bar; a stag is \$12 and Heineken is \$13, and the “fella” who is making that money, he making it as if it was seven dollars, but he is making five dollars on the people.

So I want the hon. Minister in the Ministry of Finance to conduct an investigation. I would like you and the hon. Attorney General to conduct an investigation into the leakage of information as it concerns the imposition of duties on alcoholic beverages, spirits, tobacco and cigarette products before the budget was read in this honourable House. Get at the culprits who were involved. Get at them, just as how you want to probe why the Commission of Enquiry was not gazetted. Get, maybe, the gentleman, Lucky, to help you; you might be lucky.

So, Mr. President, that is an area I wanted the hon. Minister to address.

3.30 p.m.

I would like to raise certain questions and put them to the hon. Minister. These increases in taxes on locally manufactured products, could they result in the possibility of local firms being under some stress? They have not cried out as yet, but I want to remind you, Mr. President, we have now begun to climb down into a deep dark hole, and I do not know why this Government continues to fool the country and fool the population. There will be no economic growth in Trinidad and Tobago in 2010. They know that. They know that in 2010, there will be no 2 per cent economic growth, and they are mamaguying the country and fooling the country that there will be growth in this country. No growth will take place until 2012. That is what the experts, the information and the data is showing, and we are going down into a deep hole in this country because of the mismanagement of this economy, by this Government.

This is why I raised the question. When you increase taxes on alcoholic beverages and tobacco products, what impact if any, that will have, or those measures will have on the tourism industry? Because you are talking about promoting tourism, both in Trinidad, and Tobago, and in Trinidad and Tobago, but you come now and you impose punitive taxes. So all these hoteliers, what is going to happen? What impact that is going to have? Is that going to bring about less competition for the Tobago tourism product? I do not know. I am saying, these are things I do not know if the Minister has thought out properly, or is he saying that tourists should now consume “babash”? Let them drink “babash” now—local consumption—or bush rum. I do not think you are paying excise duty on that?

Hon. Senator: What?

Sen. W. Mark: "Babash", bush rum and bay rum. Now, not everyone is fortunate as this Government. All this talk, Mr. President, is just "ol' talk." Therefore, the Minister must be aware that high duties will in fact result, and make it very profitable for smugglers and contraband traders to thrive in this kind of environment. I want to warn this Government that if they are successful, then the revenues that you have targeted are not going to be realized. In those circumstances, I want to ask the hon. Minister in the Ministry of Finance, what steps or measures have you taken to equip the Customs and Excise Department and officers of that department to better combat smuggling that can take place? But you see again, there is a contradiction. You have demoralized—

Mr. 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. Dr. A. Nanan*]

Question put and agreed to.

Sen. W. Mark: Thank you very much, Mr. President. I was making the point to the hon. Minister in the Ministry of Finance, that again, you are in a contradictory situation. You need to properly equip your customs officers with the tools to deal with smuggling because that is an inevitability, but you are doing this at a time when your staff is demoralized. Do you know why they are demoralized? Because of your decision to destroy a very important institution, that has been in existence for decades in this country, the Customs and Excise Department. That is an institution in our country. The PNM is out to destroy the Board of Inland Revenue; they are out to destroy the VAT office; and they are about to destroy the Customs and Excise Department. These are institutions in this country, but the PNM does not respect institutions.

So I want to ask the hon. Minister, Mr. President, through you, what steps will he be taking to deal with this particular question of staff demoralization at the Customs and Excise Department, at a time when you may have a big industry, a contraband industry emerging. I want him to look into that because he may not have examined that particular part. Workers are being demoralized, not only at the Customs and Excise Department. This Government—I remember back then, there was this rumour circulating that a particular former Minister of Finance had gone to a conference in Guyana—it was an IMF conference—and a statement he was purported to have made there at that time, is that his wish is to see the trade union disappear in Trinidad and Tobago. That was then in 1993. [*Interruption*]

Sen. Dr. Saith: When?

Sen. W. Mark: 1993. You know, today, with these workers being demoralized at the level of customs and excise, at a time when the Government has imposed new duties on alcoholic beverages and tobacco products, this Government has taken a decision to decertify and cancel the certificates of two prominent trade unions, namely the Communication Workers' Union and the Transport and Industrial Workers' Union. This Government has done that through the PTSC and the TSTT.

Mr. President, how are you going to get productivity and increase the level of commitment by workers in really overseeing this budget, when the Government is seeking to destroy another institution in this land? I would also like to ask the hon. Minister, as we prepare for negotiations on the Caricom/Canada Trade Agreement, do you not believe that by imposing these new duties and taxes, you are sending for instance, the wrong signal to the Canadians? I want the hon. Minister of Trade and Industry to examine that, because you are about to embark on negotiations with Canada for a new trade agreement for Caricom and Canada, and look how you are starting. You are starting by imposing duties and taxes on products, not only within Trinidad and Tobago and the Caricom, but also extra-regionally. So I would like the hon. Minister to indicate how will this measure that he has introduced, impact upon, let us say trade, between Canada and Caricom? I want to also warn you, that I have been informed that many people do not travel in this country but they buy duty free imported goods. I want to warn you about that. They do not travel, but they buy duty free imported whisky and brandy.

Sen. Browne: How?

Sen. W. Mark: I do not know. There is corruption at the airport.

Sen. Browne: You should know.

Sen. W. Mark: Therefore, Mr. President, I have been informed— I do not drink like you. I am a very moderate drinker. [*Laughter*] I drink moderately, Sir. I do not overdo things.

Sen. Browne: You drink water?

Sen. W. Mark: But I want to advise this Government, it is a very serious point. My information is that there are people who do not travel and they have access to imported whisky, duty free. And I want to warn this Government that what they are going to be doing, is that if that particular trade is flourishing at Piarco Airport, they may not be able to realize the revenue that they are talking about because the moment you impose higher duties on people to purchase these

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products, they are going to find ways and means of bringing them in at a cheaper price. I want to warn them that that exists right now at certain duty free shops at Piarco. That is what I have been told and I want you to understand that.

I also want the hon. Minister to tell us what impact, if any, this is going to have on the WTO because we are a signatory to the WTO Treaty, and we have given certain commitments regarding the maximum duties that can be charged on products that are imported here. And I would like the hon. Minister in the Ministry of Finance and the Minister of Trade and Industry, to tell this Parliament, what if any impact these measures are going to have as it relates to our commitments to the World Trade Organization, as it relates to the imposition of charges.

Sen. Dr. Saith: None. Zero.

Sen. W. Mark: Is it in conformity?

Sen. Dr. Saith: Yes.

Sen. Browne: Yes.

Sen. W. Mark: Therefore, I want to—I know Sen. Dr. Saith, my good friend, acting—your Prime Minister has come back? I felt so embarrassed. I looked at my Prime Minister—sorry, Sir.

Mr. President: The Member sitting obliquely opposite you is the Minister in the Office of the Prime Minister—

Sen. W. Mark: My apologies, Sir.

Mr. President:—in case you have forgotten your Standing Orders.

Sen. W. Mark: I apologize, Sir. The Minister in the Ministry of State, Sir? I stand corrected. Mr. President, am I right? Is he the Minister in the Prime Minister's office? The Minister of State in the Prime Minister's office, Sir?

Sen. Enill: The Minister in the Office of the Prime Minister.

Sen. W. Mark: In the Prime Minister's office. Just the Minister in the Office of the Prime Minister, without any portfolio, and he acts as Prime Minister from time to time. Thank you.

Mr. President, I was embarrassed. I looked at television last night, I looked at television the night before, and there was the hon. Prime Minister of my country, my Prime Minister—because he is our Prime Minister—addressing the United Nations General Assembly, and when the camera made a sweep, 90 per cent of

the chairs were empty. I wanted to know if they had boycotted our Prime Minister. I was embarrassed. How can our Prime Minister be addressing the General Assembly, at the 64th Annual General Assembly Meeting and 90 per cent of the chairs were empty? I could not understand. Are the people getting the message out there that we have a Mugabe type of leader, and they have begun to boycott the Prime Minister?

Mr. President, I was embarrassed. I am a Trinidadian and Tobagonian to the bone, and I could not understand how my Prime Minister could be addressing the General Assembly and nobody was listening to him, except a few people. Why? When Obama was there the whole place was filled. When Chavez spoke, Hugo Chavez, President of Venezuela, the whole place was filled. Why people were not there to listen to our Prime Minister? I am very concerned and I want the hon. Minister in the Ministry of Finance to investigate that for us. *[Laughter]* You conduct an investigation, hon. Minister, as to why our Prime Minister did not get a proper audience yesterday, or the day before, when he addressed—and Mr. President, I must tell you, I—*[Interruption]*

Sen. Browne: You have six minutes again.

Sen. W. Mark: Yes, I know—enjoyed it. I want to ask my colleagues again, the impact it will have on the tourism product, but I must tell you, this is the greatest. This is it. When a Prime Minister can go to an international conference and tell the world that the reason we have crime in Trinidad and Tobago and the Caribbean is because of the loss of preferential treatment and access for bananas and sugar in the European Union, I say, we have reached.

3.45 p.m.

A Prime Minister goes to the United Nations and addresses the world—*[Interruption]*—maybe we need some more alcohol in the Prime Minister's residence. I think we need to provide the Prime Minister's residence with some more alcohol and cigarettes, because I could not understand it.

Mr. President, I know that you have been very patient with me. I want to welcome you back. *[Laughter]* I really want to welcome you back. Whilst you were out, the hon. Vice-President held the fort. I even told him, at one time, that I felt sorry for him, and I told him that anytime he wanted to vacate to let me know, and I would get the hon. Leader of Government Business to vote me to take his place. *[Laughter]* I knew he was tired at times, but he conducted the affairs of the Senate good, Sir, and you would have been proud of how he conducted the proceedings.

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Mr. President, we believe that the Government is attempting to introduce a measure that will not realize, at the end of the day, its stated policy objectives. We believe that more persons are going to drink alcohol, more persons are going to smoke. We believe that if the Government is serious, they must use a portion of that \$18 million for education. They must embark upon a campaign of education. They must educate persons from kindergarten to the university, and to the general population. Through that process, over a period of time, it would inculcate a new consciousness in the hearts and minds of the people, so that later on in life they could really begin to curb their habits in terms of consumption.

At this moment, we see no proposals in the budget for the allocation of moneys towards education; therefore, we see this measure as purely hypocritical; it is scraping the barrel; the Government has fiscally mismanaged this economy and the resources of this land, and has begun to scrape the barrel.

Thank you.

Mr. President: Sen. Mark, seeing you have welcomed me back, let me welcome you. I was, in fact, only gone for a week, but we had the break and, therefore, it seemed like a long time. But it is such a pleasure to see that you are still here; [*Laughter*] so nice to have you, as always.

Sen. Basharat Ali: Mr. President, I intended to be brief before Sen. Mark took the stand almost. I will probably be even briefer, because most of what I wanted to say, he has said already; some of it I agreed with, but a lot of it I do not.

I was prompted to speak because in the original budget statement these items on excise duty were under the rubric "Promoting and Ensuring Healthy lifestyles". My very pragmatic Minister in the Ministry of Finance came up with the same title in his Appropriation Bill. That is why I had to speak, because he is a man of figures and numbers, and a very pragmatic person.

I have to say that I went back to the numbers again. I like numbers myself, so I went back to them and did a very quick check as to what has happened over a number of years, on the question of alcohol and tobacco taxation and the collection of taxes on them.

Mr. Vice-President—I am so used to Mr. Vice-President being there—Mr. President, I have to say that I think the Government would be collecting all these moneys under false pretences, once they talk about promoting and ensuring healthy lifestyles and collecting all these funds.

The last time we had a similar imposition, if I may call it that, of excise duty on alcohol and tobacco, was at the end of 2006, just in time for the beginning of fiscal 2007, in fact. It is pretty well the same that we have today, but the numbers speak for themselves.

When you look at the actual collection of taxes on goods and services with respect to alcohol and tobacco, it just strikes at you. If you take the 2006 numbers, you would see that alcohol taxes came up to \$206 million and cigarette to \$177 million. If you go to 2007, it is \$370 million on alcohol and \$208 million on tobacco, cigarettes.

We have been hearing about this figure of \$80 million, but the 2006 number was \$445 million total, and compared to that was \$525 million. If my arithmetic is correct, that is the \$80 million cropping up all the time.

But, Mr. President, looking at those figures, that number, you would find that the split was \$49 million. Between 2006 and 2007, the split on alcohol was \$49 million, the increase that is, and on cigarettes it was \$31 million. What is interesting is that \$49 million is 41 per cent of the total increase for that year. If we go to 2008 now, we find that the increase was just about that same number, \$18 million for alcohol, which takes that number to \$335 million, and cigarettes, \$11 million to \$219 million. If you do a percentage, it is 62 to 38 per cent. As you have said, Mr. Minister, this was not an ad valorem tax, but this number then is representing how the product is moving, in fact. The volume is increasing.

Sen. Browne: Increase in volume.

Sen. B. Ali: This is what concerns me. I wonder whether we are going to get out of that trap, almost.

So when we put this new figure, when we have said, "Okay, we are going to put another 15 per cent and 30 per cent, as the case may be, under the Customs and Excise Duty Bills, the new figure, in fact, looks like it is going to be \$635 million, which splits up into alcohol, \$383 million, and cigarettes, \$252 million.

If you take the revised 2009 numbers, which are \$323 million and \$217 million, which comes to \$540 million; that then compared to \$635 million, which is what the anticipated number is for fiscal 2010, the consumption in 2008 was \$554 million, so are we going to have a drop in 2009 by that revised number? I do not know; I do not think so.

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The problem is there all along, there is no resistance to price, when it comes to these products; alcohol products and tobacco products. There is no resistance, so whatever you do, all that is going to happen is that you would get extra revenue.

I have looked at the figures from 2004 onwards. In fact, 2006, in that period, was the first time we had an excise duty put on, and now we have the same thing there. There is no sensitivity from the consumer in terms of that price. It does not benefit us in the way that we are expecting it to benefit us, to have some reduction in consumption. There is evidently not that built into the system, or that would take place.

I have read all those comments in the newspapers, and that is what you see. It is disturbing, so we have to look at other factors in dealing with the problem of those lifestyle diseases promoted by alcohol and tobacco. We have to look at simple things. We have taken the step, in the case of tobacco, of having no advertisements. It does not seem to matter too much; it is still going up. As we all know, tobacco is a lifestyle disease which creeps on you all along.

In the case of alcohol, we have no such restrictions. We do not have any restrictions; we can advertise as we please. Even on government commercial station, television for example, we have all those advertisements. But we could start by cutting those out. Whether you and I choose to have a drink, that is one thing, but when you glamorize it—and it is all glamour. Every alcohol advertisement is glamour; whether it is climbing mountains, whether it is having a romantic evening; whatever it is, it is glamorized.

That is what the young people are seeing, and those are the persons we should be targeting. Freedom of expression is true, but youngsters—I do not know where they get the money from—but they are the ones who are hit most of the time.

Mr. President, I see it all the time still. If you go in a restaurant, you would see young people sitting and there is no restriction, even there, for smoking in a public place, so they all light up. It makes others uncomfortable, but it does not matter to them. They consume alcohol as well. Everything is there; there is no restriction on anybody. There is always the feeling that is the only way they could enjoy themselves, to go and have a drink. Some of them do it to such an extent, that they go out and get killed on the road. It really bothers me an awful lot that these things are happening.

I am not a smoker anymore; I smoked for almost 30 years. I am reformed for 30 years and I try to live a healthy lifestyle, but it is one of the most difficult things to do. You go to the grocery and you cannot find a shelf where you have

certain products. I know, because I do a lot of grocery shopping myself. You cannot find products like fat free cheeses and things like that, or they are in limited amount. When one grocery does not have them, the others also do not. I think it is a question now of the distributor making the choices for us, not the grocer, but the distributor.

I think the Consumer Affairs persons, for example, must look at that. I know, I see it all time. As I said, I try to live a healthy lifestyle; I do not consume sugar, I hardly consume salt, and I restrict the use of fat in my diet, but it is very difficult to keep going like that. We need to do something else.

That is why it gives the impression, by imposing additional excise duty, that all you are doing is going to collect revenue. It is not peanuts you are collecting. If it is \$635 million you are going to collect, instead of the revised, which is \$540 million; that is a lot of money. That is certainly not the answer to where we want to get with this whole subject.

I do not have a solution. I think that we have to do more education, especially for younger persons. Those young persons who you see taking out cigarettes to smoke are not earning money, but they could smoke. The other group of persons who I see are smoking more and more are young females, young girls. They walk around the streets now and as soon as they come out from anywhere, they light up a cigarette. Where are we going on this?

I know we brought a Tobacco Bill here, but I think it is going to die at the end of a few months, because it is in limbo; it will end there, because they tried to do something which would not work at that state.

4.00 p.m.

You cannot do all of that in one fell swoop; you have to go step by step. Why should we want to go from no rules to rules that set out everything? That is where we need to relook our situation.

Mr. President, I am saying that we may get some more money out of this but we need to—some people said that we need to take those moneys and put them in a particular direction, but all is going into the Consolidated Fund so it disappears. So unless you have some specific budgeting items, you would not get anywhere on this.

That is all I wanted to say, except that I have one little item which came up again last night, and someone said that the Minister of Energy and Energy Industries said that the property tax for this year was going to be \$72 million and I

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said I think it is a mistake. It is in the verbatim, although I did not believe it. It is really a much larger figure; it is \$325 million according to this.

So I would like to bring that to the attention of the hon. Minister whoever gave him that from the *Review of the Economy* made a mistake and that is a figure with which we have to work, \$325 million property tax from these yellow pages.

So Mr. President, that is all I wish to say, I really did not intend to say anything.

Thank you very much.

Sen. Dr. Sharon-ann Gopaul-McNicol: Mr. President, thank you for giving me the opportunity to participate in this debate.

There is no question that the negative impact of alcohol abuse and tobacco usage is a serious problem in our society as it is around the world. Alcohol can have immediate and long-term consequences on our health and on our social life ranging from road accidents, depression and so forth. But even more so, alcohol can cause chronic illnesses such as liver diseases if used excessively by heavy drinkers.

The social impact of alcohol in our country has been devastating with an increasing number of broken homes, child abuse, domestic violence and a variety of other medical and social problems just as a result of alcohol use. Therefore, there is indeed a concerted effort that should be made by all of us in the society to look at—and we should be quite aggressive, working closely together given the terrible long-term consequences of the excessive use of alcohol in our society.

On this note, when the announcement was first made by the Minister of Health, aiming towards a healthy lifestyle, I was quite excited. I took it very personally because it has always been a concern seeing the excessive use of alcohol; people drink and drive rather irresponsibly in this society and so forth. So there is no question that to me, the beginning of this fight towards eradicating the excessive use of alcohol and tobacco abuse should have genuinely been included with other tangible initiatives—in the near future I hope this happens—aimed at curbing the problem with which we are faced in our society today.

Quite frankly, I was amazed as I began to look more and more at the information presented; reading the papers, looking at the websites, trying to understand if this was really about curbing alcohol and tobacco use, or if it was primarily a revenue getting kind of initiative.

In a way, we must make an effort to curb the excessive use of alcohol, but if this is about carrying the burden of this Government's mismanagement of our funds, then I think this is a concern to me that something as important as a social problem such as alcohol and tobacco usage which is of such magnitude in our society could be placed in the category of revenue-getting kind of initiative. I am very concerned if this is what it was all about.

When I listened to the Member for Diego Martin West, Dr. Rowley, a man whom I have respected from my entire time of knowing him, I must say I found this quite strange for him to make a comment and others, of course, have corroborated what he said; that it is the squandering of our money that we are now at a place where we are scraping anything from anywhere that we can get in order to address this problem of the Government's squandermania, a problem that we saw happened in the 1980's leaving our Treasury empty by the time the next administration had come in.

Then we see our Prime Minister going off to the United Nations and saying: "We have to leave behind the old approaches that suffocate development of the many for the benefit of a few." He then went on to say that we should "strive for individual empowerment of citizens in every nation."

I have to ask: What in the Manning-led administration and policies brought about the empowering of citizens in this country? I was quite surprised to have read when he stated that the economic and social kinds of problems we are facing stem from all kinds of other reasons, and Sen. Mark eloquently represented it.

So here it is we have an administration that engages in both economic and social corruption of such magnitude and now we have to scramble and play catch up to see what we can do to retrieve the money they so flagrantly disregarded and squandered, which really could have done so much for so many poor people in our society.

If this Government really had cared, and I had hoped, and I still hope that this is really what this initiative is all about, that we are looking at trying to create a healthier lifestyle for all of us. If this Government really had cared, we would have seen indicators of that.

As a young intern in 1985, in my last year of my doctoral programme, I remembered that I went about forming a Children of Substance Abuse and a Children of Alcohol Programme which became rooted in the American Substance Abuse Programme years later. These programmes were with children who were

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born into families who were abusers of alcohol and various types of substance usage, and it was embedded in the very social fabric of affecting a healthy lifestyle for young children of the next generation born into such families.

Then I think of the best practices outlined in psychology with respect to alcohol and substance abuse of all kinds by persons like Alex Thomas, Jeffrey Grimes, Kathleen Minke and so forth, from the 1980's right up to now they continue to put forward rehabilitative and preventive strategies that could eradicate the use of alcohol and other substances as well as tobacco.

They can be implemented in the schools. In fact, I recall in 1992 I had sent down—to the then government, it was also the Manning-led administration—a package that we could have used from kindergarten right up to the end of high school. It was a package that would prevent children from using alcohol and other drugs if it was implemented as part of the education system. It was rejected by that administration.

I remember when I returned to Trinidad to live in 2002, suggesting that we should do what President Hassanali did so well when he did not allow the use of alcohol in the President's residence, that people laughed me out saying what nonsense is this; we cannot expect to have no alcohol. But I am challenging this Government to walk the talk.

If you are saying that we should not be using alcohol and would like to curb the usage of alcohol or have healthy lifestyles, why can you not look at what you do as role models to our young people? Let us go national and say we are going to curb the amount of alcohol in Government functions in the public sector.

We have had functions in the public sector celebrating some event or the other and alcohol was served, and I am saying this is something that we have to look at. If we are going to increase the taxes on alcohol, we have to make sure our argument is not flawed and right now, the argument presented by this Government is completely flawed when you think that you are not seeing the other programmes that should have complemented the use of this particular suggestion of a healthier lifestyle.

I was really disturbed when I heard the Minister say that she expects the tax to raise an extra \$50 million from alcohol and \$30 million from tobacco. I was thinking if it is really and truly about the healthy lifestyles, we should be less concerned about the revenue that we should be trying to extract from people, but rather how we will transform their lives. So I cannot see how the Government can say that on the one hand it wants to curb a particular type of inappropriate social practice, and on the other hand is raising extra revenue. For what?

If you think about it, you are asking us to accept that you want it both ways, which in my view, if you are raising revenue, say so. We know that there is an excessive amount of waste that took place in this country with respect to the resources of the Government. A lot of money had been handed over to foreigners; we saw it in the GTL project in Petrotrin, US \$475 million was loaned to a foreign company in Petrotrin equivalent to \$2.8 billion; this way, the gas to liquid project; we saw the gasoline optimization project of US \$1.2 billion again in one company, Petrotrin. A lot of wastage of our money.

The country is quite clear, there is no doubt in people's mind that there is a scraping and scrambling and begging and possibly borrowing just to get us by. Not possibly borrowing, a lot of borrowing because loans were borrowed in those two Petrotrin projects to get us by. Let us just be honest; share it honestly with the people so we would know what we are facing.

It is a good idea to have healthy lifestyles, we want healthy lifestyles. Who could not support such an initiative? But let us tell the people why we are doing this and at least people, we will know that our country is in trouble, and we are in serious trouble at this time.

I want to say that the \$80 million that is projected to come from this alcohol and tobacco usage is just a drop in comparison to the \$44 billion budget, so this is telling us something very serious. It seems as if we are scrambling and scraping to get anything because there is no evidence that there is, in fact, any serious attempt to change the lifestyle, but more to get revenue.

If it were a serious attempt, we would have seen a focus on the breathalyser test for instance that has long been passed and not proclaimed. To really help addicts, you need rehabilitative and preventive types of measures which we have not seen and, as far as I am concerned, the Government has failed to present its position and its argument in an effective manner so that we can quickly buy into what it is proposing.

I also heard the Minister of Trade and Industry in his debate last week make reference to the fact that we are not collapsing and we should not over exaggerate our situation and that it is not gloom and doom, but in truth and in fact, what people are not understanding is how serious the situation is. One Senator actually was critical about the negatives, as she put it, that were presented on the opposite side claiming that we were painting a picture of gloom and doom.

I have to ask the question: What is our role as Senators if not to point out where we see trouble brewing in our society that can affect the next generation, and us as citizens of Trinidad and Tobago? What is our role? I am not here to

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point out only the glowing things that are happening, I am here to point out the good things that work, which I have done in this Senate. The *Hansard* is there to prove it, and I am here to point out as well, the negative things that we are embarking upon as a Government, as parliamentary colleagues, that can harm our country. And there is no question that there are many.

4.15 p.m.

There is no question that many of our systems are in trouble in this country. So when you have the economic, leaving off the legal, the social, the educational and all of that, we have a country that actually had so much resources but fraught now with so many problems; social being just one of them. So when I say here, if we are not allowed to speak on issues—I also noted with great concern as I look historically at this administration from its very inception, when people challenge this administration on issues of economic corruption, or social corruption even, they are called madmen. We saw this with Gene Miles. She was referred to as a madwoman that came up against a system that was corrupt to the core. Had we listened to Gene Miles back then, we would not have been in this situation that we are facing today; we would have put blockages on corruption in a big way. But we did not.

I have watched other people who were called madmen in this society just because they tried to expose the indiscretions of the PNM. CLR James was banned; he was sent into exile because he challenged our then Prime Minister, again because he sought to have a fairer system, seeking the interest of the poor and disenfranchised. Of course, last week you heard I was referred to as a madwoman. I was told that my rantings and ravings were equivalent to that of a madwoman by Minister Browne last week because I happen to lobby and champion the interest of the poor; 25 years of my life's work in this country, in the region, in the United States, England and Canada, as far as Caribbean people are concerned.

I have never sought to work in prestigious communities, even though I resided in prestigious communities in my 22 years of living aboard; I sought to work in the most deprived communities where there were challenges, socially. So my life's work has been this. All my 13 books that I wrote had nothing to do with the upper top-down privileged in our society; it had to do with the people at the bottom and how you transform their lives for the betterment of the next generation, and so forth.

So to hear this Minister flagrantly, flippantly say to me that my rantings and ravings, which were just lobbying for the interest of poor—it was sad to me. I needed to clear that up.

Mr. President: If I may, was that said to you during the course of the debate?

Sen. Dr. S. Gopaul-McNicol: Yes.

Mr. President: Well that would have been unparliamentary. I was not here, but that would have been unparliamentary and I would like to put that on record, that would be highly unparliamentary and I do apologize to you. [*Desk thumping*]

Sen. Dr. S. Gopaul McNicol: Thank you, Mr. President.

I must say that I have always wanted—when I first returned home, I remember meeting with Mr. Manning, our Prime Minister, and asking him if he understands the importance of a social legacy. I wanted so desperately for him to have left a social legacy, because our Prime Minister, Dr. Williams, had left an educational legacy and so I wanted to see our Prime Minister, Mr. Manning, leave a social legacy. I literally drafted a prospectus of what his book and his life should look like and gave it to someone who was his communications person, to write the book on his social legacy, because I had believed in my heart at the time that this is what he really said he was about and I believed it. The person said to me, "I could never write this book." I said, "Why?" He said, "The way you laid this book out this is not this person you are talking about." I said, "But this is what I hope it will be, a social legacy that our Prime Minister would leave, which is what we needed in this society." He said he could never write a book of that nature because it did not fit. I later came to understand why.

It sickens me, quite frankly, that we literally removed a legitimately elected government from office on the basis of corruption and yet we see a flagrant disregard and corruption of the highest order. I did not plan to speak very long but I thank you for giving me the opportunity to share my thoughts on this matter.

I would like to say that if this administration is serious about healthy lifestyles in terms of eradicating any particularly negative behaviour that creates unhealthy lifestyles, be it alcohol, tobacco, obesity, abuse of children, spousal abuse and so on; if we are serious about that, I will be the first to stand with you and champion this cause because this has been my life's dream, to see this happen in Trinidad and Tobago and the region at large. But if it is not and if it is only about raising revenue just to be able to scrape and scramble because of the situation that we are in, I cannot, in good judgment, support this, because this is not what it should be about.

I thank you, Mr. President, for giving me the chance to speak.

The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill): Mr. President, I join this debate to deal with a matter raised by Sen. Basharat Ali as it relates to a comment that he made. In his contribution he basically indicated that at the close of the debate I had indicated that the Government intends to collect \$72 million and he had, in fact, pointed out that according to the estimates, it was, in fact, \$325 million. Can I simply put on the record what was said?

In looking at the Review of the Economy estimates, 2009, in the year 2004, as it relates to land and building taxes, the Government collected \$85 million. On the basis of the new proposal that is being put forward, we expect to collect \$72 million. That \$72 million refers to the year 2009. The amount expected for 2010 is \$325 million.

But what I would like to put on the record—which is what this is—is that there is no \$1 billion activity that is taking place and that is the point I wish to address; it is \$325 million and not \$1 billion. So I wish to sincerely apologize to this Senate for that error but it was done with no bad intention; it was simply an error in the review that I have looked at. Having brought it to my attention I wish to correct it.

Sen. Corinne Baptiste-Mc Knight: I thank you, Mr. President, and I thank my colleague on the Opposition because I really will be brief enough for us to leave here on time. I would just like, on behalf of the non-teetotalers in this country to say to the Government, through you, that we can live with a tax on alcohol; we will live with it, but not because the Government wants us to be healthy, because it is the Government's measures in this budget that are going to drive us to drink. [*Laughter*] [*Desk thumping*]

I want to point out that this is not a short-term problem, you know; it is a long-term problem, until we can understand exactly what we have to pay for property tax; when we are going to have to pay this property tax and how we are going to manage on fixed incomes—most of the population.

The people who are getting Government houses at discounted rates and will have to pay property tax on the same value as those who pay the correct rate for those houses, we are going to be forced for medicinal purposes, to ease the stress to contribute to this tax. [*Desk thumping*] I just want to make the point that we are not opposing the tax; we are opposing the rationale the Government is giving us for the tax.

I thank you. [*Desk thumping*]

Mr. President: Perhaps we can take the tea break. Allow me just to deal with the issue here that Sen. Dr. Gopaul-McNicol raised because I have looked into it a little further and I need to be fair, to do justice. It appears that the event to which she was referring occurred on the 25th of September and the Minister in the Ministry of Finance said these words:

"I do not think you should talk too much about paper, because I have been told, especially in social sciences—rant is the word that comes to mind and the phrase that comes to my mind, no offence meant—when social psychologists speak so loudly of their commitment to the poor and speak in that tone, it reminds me very much to what Mr. Rudder said: 'A madman's rant.'"

That is not quite what Sen. Dr. Gopaul-McNicol conveyed in her contribution a few moments ago. It is a little less than that. Sen. Mark, I think, at the time, objected to it on the basis of it being an improper motive which, it would not have been that. I think what you really meant was that it was unparliamentary to refer to a colleague in that language and it is very close to the line. I do agree it is very close to the line.

Under the circumstances, though, I think that having looked at the situation, I would probably defer to the ruling of the Vice-President that it may be close to the line but I do not think it was quite unparliamentary and your interpretation and recounting of the language is not highly accurate. Suffice it to say that had those words been used in the way that you had described, that definitely would have been unparliamentary and unacceptable.

Under the circumstances, I think that the Minister, very cleverly, rode on the edge of the envelope and balanced a line there that, perhaps, well, we can be our own judges on that matter. But I think we all need to be very careful and wiser about how we speak about ourselves in the Senate. This is the Senate of Trinidad and Tobago. There is no higher place in the land and we need to treat each other with the greatest of respect and I would implore that of all Senators.

It is now 4.27 p.m. We will take the tea break, so we shall suspend the sitting until 5.00 p.m.

4.27 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Sen. Mohammed Faisal Rahman: Thank you, Sir. I rise today in a very peculiar role, which I am about to play. It is no secret that I am an Opposition Senator, but it is also no secret that I am a Muslim and it is also no secret that I

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am a writer of social, economic and religious affairs. Today, the position which I am going to take may confuse some people who only have the ability to see a single facet of a position. At this point, I am really addressing the people of my own community in this preface to my remark, because I do not want that they should misunderstand my position and the role that I am going to assume today, because, to put the matter bluntly, I oppose these taxes on alcohol, which I know is throwing a grenade in the minds of Muslim people like myself.

I am going to explain, Sir. There is absolutely no evidence that increasing taxation on alcohol throughout the years has ever had any dampening effect on its consumption. I would like the Government to show me where, on a graph, through the years, except for a momentary hiccup in the dampening of demand, there was any substantial goal achieved by reducing alcohol consumption by the imposition of a taxation on alcohol. Therefore, when the Government says that it is concerned/committed to the promotion of healthy lifestyles, I cannot buy it.

In today's *Express* newspaper it is stated that experts say that unhealthy foods are killing Caribbean people and that approximately 60 per cent of the diseases which Caribbean people die from are preventable and are caused by unhealthy eating habits and the consumption of artificially processed foods. The expert is Jethro Greene. I have not seen any attempt by the Government to increase taxation on unhealthy foods. There is a disconnect between the intent of the Government, as stated, and what is actually being established.

Immediately one has to say if the Government is really simply seeking to implement a revenue-raising measure, it would be more reasonable for them to so state. We will examine the wisdom of that in a minute. One then has to ask: What has happened to make it necessary for the Government today, to impose these measures to augment dwindling revenues, when it has squandered, without inhibition, on mega-projects that have soaked up the money in ways that we cannot even trace and are being questioned now by the very people who are being investigated for the squandermania?

We have to immediately say the Government is, from all the evidence, not serious about promoting healthy lifestyles as being the reason for these increases. If it is that they are raising revenue, I will hearken back to my contribution a few days ago, when I showed that the only currency the Government has to work towards obtaining, that it cannot produce for itself, is foreign currency. One has to come back to ask: What is the net effect of the raising taxes on any commodity that is so widely consumed? I would deal, in a minute, with the areas of consumption of alcohol and I am going to point out certain facets that may not be

readily considered when people are looking at alcohol consumption. If the Government is imposing taxes unsuccessfully in containing consumption and unjustly in augmenting revenue and foolishly in seeking to raise revenue on a currency that itself issues, in a fiduciary fashion, what is the matter? What is the end purpose or net result of these increases that are proposed?

Along the religious vein, the good book, the *Bible*, says—I think it is in Ecclesiasticus or Proverbs, I have read it—give strong drink to the despairing. This is biblical. Leaders and kings should not use strong drink. Here we have a situation where this Government is making strong drink inaccessible, by its punitive measures, to those who are increasing in the ranks of the despairing, by its very policies and making it available only to its cadre of leaders and wealthy people. Something is fundamentally wrong. The whole approach to the matter is crazy. The whole approach to the matter resembles the ranting of madmen in their performance. I am not casting aspersions against anybody. It is a mad idea to raise revenue that you issue from people who are poor who have a right to drink to get away for the despair that you have brought upon them by your policies, in sum.

Further to that, when you implement increases in taxation on a commodity that gives solace to the poor, I am sorry, this is a fact, what you actually do is you reduce their disposable income, because that is a necessity for them. As a religious person, I do not drink. As a Muslim, in particular, I do not drink, but I have come to recognize and this is very important for my Muslim community to understand.

Alcohol is forbidden for us, but our book does not forbid you from it. Your book says it is a sanctified thing, which brings us to the plight of the churches. Their cost of communion is going to increase and I do not know how. We have a Christian Government, lead by a Christian gentleman penalizing the church in what represents the—there should be an exemption for churches, because wine has a very special and sacred position in Christian theology. Do not tell me anything. I know what I am talking about. If you do not like how it sounds, you “better” examine what you are thinking. What you are doing, Sir, is you are increasing the excise and duties on wine and the poor Fathers will have to keep very quiet. I do not know if the sacrament would have to be reduced, or what, but unless you give them an exemption you are drilling a hole in the boat of religion. You are definitely affecting religion.

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It does not end there. When a fisherman goes out to sea in the Bocas and he is in his boat in the night, there is only one thing—because he has to spend 24 hours and 48 hours out there—that can warm his body. He cannot build a fire in the boat. *[Interruption]*

Hon. Senator: Rum.

Sen. M. F. Rahman: Rum. That is right. This alcohol is not a luxury that you are making it out to be. You want to tax a luxury. You taxed motor cars and you dampened sales because you can take a taxi, public transport, walk or a bicycle, but when a man has to use—*[Interruption]*

Hon. Senator: So, there are no Muslim fishermen?

Sen. M. F. Rahman: I know I am touching nerves and I am ruffling feathers, but these are aspects that the Government has not thought through. You have gone and decided: we want more money we can produce ourselves and get in other avenues. What are we going to do? We are going to tax the people who cannot afford. They would then buy less grocery for their families, because they still have to buy alcohol. We are not talking about alcohol at Christmas and Carnival time when there is a tremendous excess, we are talking about alcohol throughout the year.

We have another group of people, again. You are trying to go for Vision 2020 to reach the stage of enlightened nation status, First World. Do you know what the First World people do with their addicts? They subsidize their addiction so that they do not have to steal, fight and murder to get the drugs. They make it available. We have an addiction problem in Trinidad, with alcohol. It wreaks tremendous social damage, but you do not solve that problem by penalizing the people with punitive taxation on a matter that can become their only social crutch for standing up.

I have talked about the addicts who are the last people. They will take their baby milk money and buy alcohol. Now, you are giving the babies less milk because you have to pay more for the alcohol. This is extremely important. You have willy-nilly gone and increased taxation on this commodity that really has become interwoven in the social, economic, spiritual, religious and every other aspect of the people's lives. I find that there is a pattern here.

The Government—*[Sen. Rahman coughs continuously]* excuse me, Sir—*[Interruption]*

Hon. Senator: "Take ah drink." *[Laughter]*

Sen. M. F. Rahman:—is raising—you will love for me to sit down and shut up. I know that. This is a compliment. When you get this kind of heckling, you have to say that you are doing the right thing. I have learnt this now. I do not get worried again when they get anxious. I get pleased and I am reinvigorated. It is always a pleasure to hear the grumbling and the murmuring, Sir.

This Government—I do not know if it is seeking to divert the people or to bring so much pressure upon the people, because I have made many references to this syndrome called the Stockholm syndrome—is moving towards the establishment of the Stockholm syndrome on this nation as a priority, because all the taxation in this recent budget for TT dollars—I have to keep on repeating that; to raise TT dollars—is geared towards making life miserable for the people. It is very strange. Here you have—and we have had the Minister of Finance explain that we are actually seeking to reduce from 10 per cent to 3 per cent on the property tax on the rentable value. Oh gosh! We have some intelligent people outside of the Government. When you are reducing from 10 per cent on \$25,000 to 3 per cent on \$3 million, same property, the dollars figure is not going down. You are reducing percentage, but you are using a different base.

5.15 p.m.

So, the rental value of a property 30 years ago was \$50 a month, but today it is \$4,000 a month. You are not reducing anything. That is sleight of hand. Whether it is intended to be or not, it is a deception. I find it very difficult to believe that the Minister in the Ministry of Finance, with all his knowledge of economics, finance, percentages and values, can stand and say that the Government is seeking to reduce the property tax for the people. I sense already that what they are really doing is establishing a tax at a lower rate-higher dollar value and higher value on reduced incomes on fixed incomes on retirees who now have to do reverse mortgaging, and you are telling the people you are trying to make it more equitable. You are kicking them, slapping them and spitting on them. That is what this Government ends up doing to the people. If this nation does not wake up to the Stockholm syndrome direction that we are heading, I am sorry. We are heading in a direction of serious tyranny.

Mr. Vice-President, it is a terrible thing that we have so many guns in the country, because in the wrong hands those guns could do a lot of harm. God works in mysterious ways. Perhaps the people are being armed in an illegal way to confront a threat to their very existence and freedoms. I am very saddened to say this, but when the crunch comes and the police come out with their riot gears, they are going to face—not the fellows in the 1970s walking down the road and

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throwing Molotov cocktails—something else. This is a serious matter. Why can the Government not see this? The Prime Minister is tuned out and he goes on with his truculence and all of the excesses. Rome was not built in a day, but it was burnt down in one night. This is a very terrible irony.

All the taxations that the Government has been doing for TT dollars could have been done, if they wanted to control things in other avenues where not everybody in the nation—from captain to cook; rich to poor; every nook and cranny is being adversely affected. It is a very funny thing. Look at how it favours the rich!

Sen. Mark mentioned that many people are buying duty-free alcohol. That is a fact. In a way, you might have to sympathize with them. It is better they do that than they go and shoot somebody for a bottle of rum. We are augmenting the crime incentive. We are causing people to have greater reasons to become criminals. While the Government is doing that it is happy to make crime pay. They are making crime pay, because they cannot stop the crime, so they are taxing the lawlessness and getting the fruits of criminal behaviour. Now, in order to be a good citizen you have to go and help the Government by breaking the law so that you can pay a big fine.

The pattern is being followed, because in recent times every one of the Bills that came before this Senate has had draconian penalties—\$1 million, \$500,000 like in the Copyright Bill and the Tobacco Bill. If you only hold something resembling a cigarette in your mouth, the fete organizer could be charged \$500,000. It is a pattern that the Government is following. It is making money out of lawlessness and benefiting from lawlessness. How can we escape the conclusion that it has to foster lawlessness in order to finance its shenanigans? What are we doing?

I notice the other side is a little quiet now. These are very serious issues. It is not that this is fun or games or jokey things. You are going to make people—why do drug addicts choke and rob people? They want the money to go and feed their addiction. Now, we have a very serious addiction rate in the country. Households are going to fall apart because husbands are going to take home less money for groceries and the family. We are sowing a horrible crop. We are nurturing a terrible society.

We are transcending petty crime and we are going into fostering major crime. The measures that are being implemented by these Motions are disastrous to our society in Trinidad and Tobago. Mr. Vice-President, there is one anomaly after the other.

Last year, we hurried and passed a Geneva Convention Bill after 40 years. I do not know what has happened to us. Among the absurd clauses in the convention which I pointed out, but which remained, is that the prisoners are entitled to tobacco. You have to give the prisoners tobacco by right. So, all the trumpeting, all the jumping and all the posturing that you are taking here now is really comical. You have to give them tobacco or they could sue you and make a diplomatic scandal and an international incident between nations. This is no joke. We are making legislation like a jigsaw puzzle. We do not make the picture and punch it out and make it into a jigsaw puzzle, but we are cutting little pieces and trying to fit them. That is how we are making our jigsaw puzzle, and then we wonder why nobody stayed in the United Nations to hear the Prime Minister. In the world crimes are going down. New York was one of the worst cities for crime and it has dropped, and the Prime Minister gone to tell America and the world that crime is the big problem. Hello, you are the problem for allowing crime to become as it has! [*Desk thumping*] We have a serious problem. You are saying now that you are concerned with healthy lifestyles promotion. So, you are going to do the people a favour and turn the screws on them.

[MR. PRESIDENT *in the Chair*]

There is a mystery that confronts me here. What is the difference between Caricom alcohol and extra-Caricom alcohol? You are concerned about limiting lifestyles—six of one and half a dozen of the other—and you make them different geniuses. It is the same drinking. On the one hand, you are increasing outside of Caricom, but it is the same devilish substance that is causing all the pain in the country. I have shown here that you are bothering the churches; you are troubling sanctified substance; and you are doing everything wrong.

Another very interesting point is when you increase taxes the prices will go up for the consumer. When the prices go up, do you know what happens? I mentioned before that alcohol is a non-elastic commodity, and it is not affected by price. When you cannot afford it you are going to steal it or buy it subsidized from the duty-free shop or from the increased contraband trade which Sen. Mark clearly identified. Contraband is going to increase. We have had contraband here all the time. We are now getting fast patrol vessels to deal with contraband, but they are going to time when you are passing and they are going to come in with their stuff and when you go back they are going to come back out. Contraband has been with us for years. If it was attractive with low duties, it is going to become more attractive with high duties. That is logical. What you are doing is increasing contraband. At the end of the day, they are going to say that they are losing revenue.

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When the prices go up, a very funny thing takes place, that is, you have an increase in snob value. The higher something costs is the bigger the demand for using it. I can afford the best. I do not even know which one it is. *[Interruption]* Okay, you could call it Johnnie Walker Blue, but the reality is that when you increase snob value you increase the attraction of the commodity; you increase sales; and you increase consumption.

You do not realize that the fastest selling sport shoe is the most expensive. Nobody wants to buy a “washikong”, they want to buy a Nike, and that is the one they are going to find the money to buy. Who do you think wants to buy cheap alcohol? The more expensive it is, the more allure it provides.

As I said, taxation has its uses and merit, but do you know what we need? We need social engineering and social retooling. We need to have a sense of values inculcated into our people; we need to get rid of the promiscuity and ghetto lifestyles; and we need to pull up this nation at the bootstraps. We do not need to impose punitive measures on their simple pleasures. We need to be more kind to the people.

I would like to ask the Government: Does the Government have a specific plan to cut back on alcohol consumption at state functions? I would like the Government to tell us that it is going to set the example and stop using alcohol at official functions. The reality is that they are making alcohol more available to the wealthy and penalizing the poor who have their various needs for alcohol: fishing, despair, the addiction and social interplay. I am a Muslim. We have other ways. We are allowed four wives. We do not need alcohol. *[Laughter]* I am telling you something that a lot of people do not like to hear.

Sen. Browne: How many do you have? *[Interruption]*

Sen. M. F. Rahman: That is private information, do not worry. One of the things we hear at the sermon every Friday is: Verily God commands you to justice and excellence. We are also told do not deny a people justice even though you may dislike them. The people have a right to their alcohol. I used to attend Tai Chi classes several years ago, when I was a little more athletic and so on. I had a lovely Sifu who used to teach us. He just passed away—a very young man who died from leptospirosis. It was very sudden. We were talking one day and he was saying: “Look at them stupid people! They do not have any money and they are carrying their children to KFC, Mc Donald’s and Royal Castle and spending big money on the weekend.”

5.30 p.m.

I said Sifu, you ever consider this? The wealthy people carry their children to Miami, New York and Disney World. Our little children, who cannot afford that, can say on a Monday morning, my daddy took me to KFC or my daddy took me to Movie Towne, and they get a slice of life. We consider people to be extravagant who seek to give themselves and their families a slice of life. This is the inalienable right of every citizen to enjoy something of life.

Sen. Jeremie SC: To drink.

Sen. M. F. Rahman: My religion says I have to be just to you, and if you want to drink and your religion says you could drink, you have a right to do it. It is very simple. This is a very far-reaching issue. I know that what I am saying here today would need some analyzing to have my own reputation extricated from what it is I have said, because I am going to be misrepresented. You know what, I have never been afraid to face the music. I will defend this and I condemn evil behaviour in Muslims. I do not cover up and I am happy to say this because I fear my Lord and he commands me to justice, even against ourselves.

What we are looking at here is an unnecessary hike in taxes that will affect the poor and despairing unjustly and will only cause further confusion for the Government, because now the people would not be able to resort to alcohol to forget the calumnies that are heaped upon them, so they are going to be stone cold sober to remember. So, when the next time comes to vote, they are going to say "Ah ha, ah remember", so you better take care.

It is very interesting; there is some peculiar logic here. The different constituencies have their different ways of solving their problems. Sen. Wade Mark mentioned "babash". You know, if a man cannot get alcohol to drown his sorrows and he really needs it, he might very well end up committing suicide. You do not know what you are playing with.

I know in Pakistan where alcohol is forbidden, they have these—I do not know what they call it over there—little distillery stills, and every month you hear 30 people dead from poisoned alcohol, because they do not know how to make it. It is a very terrible thing, but even in a country where alcohol is forbidden by religion and law, that happens. What do you think would happen here? Bush rum is going to become king; it will replace other things that are less undesirable.

You have in alcohol a substance that you can control to some degree. You know what happened in the bootlegging days in America? Alcohol flourished, crime flourished, murder flourished, gang wars. Valentine's Day, 14 people

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slaughtered against a wall. You make this step where you deny the people the respite that they are afforded in their indulgence and you are looking for serious trouble down the line.

I do not like to say, "I told you so", because even if we tell the Government "We told you so", with all the mad spending they have been spending, that they are now trying to squeeze the people and get back something for, it is going to go through one ear and come out the other.

The Members of the Government Bench have not made any personal sacrifices; have not taken any salary cuts or personal concessions; we all continue to enjoy the privileges. We have a function we were supposed to be invited to today for 6.00 p.m., which of course, nobody can go to, where alcohol will be flowing and the hoity-toity—

Sen. Seetahal SC: "Nah, we get that too late."

Sen. M. F. Rahman: But if we were free, "ah mean ah gone". I like to see what going on. I am saying, Sir, that the Government is not taking measures to curb its own spending and its own excesses, and it is seeking to impose upon people curbs and restrictions on the false assumption that they are promoting healthy lifestyles. You are going to make it very unhealthy for yourself.

One of the things that the food expert said and I would like to broadcast this to the nation: The three things that caused the most sickness in Trinidad: white rice, white sugar and white flour. That is a message I would like to give personally too. You add calories to your body with rice and flour, and you know, rice and roti are the two things in Trinidad. Do not talk about white sugar, you are increasing your chances of cancer, real, real serious. Now, they might take rice to make wine. At Christmas time many people take sorrel and rice and make their wine.

You might have people even getting into a cottage industry and many of that would start to pick up the slack. It might be a good thing for them too, because that way they would be able to drown in their sorrows. Thank God I am floating, I am not drowning in any sorrows.

Sen. Seetahal SC: Well, you have four wives—[*Laughter*]

Sen. M. F. Rahman: Well, anyhow, to set the record straight, right now I only have one.

Mr. President, Sir, the Vision 2020 is receding. The Government is doing crazy things. I want to touch on another fiscal economic measure where the Government squanders money and this is a very important point to take. Every time you hire a foreign labourer or a foreign doctor, whether you pay them in TT

dollars or US dollars, they are going to take their money and buy out your foreign exchange to send back home, to repatriate. That is part of the deal in working overseas, you are repatriating funds for your people at home.

Even if we hire cheap labour, labour that is cheaper than home here, it costs you nothing to pay your local labour, but it costs you your foreign exchange and resources to pay foreign labour. So, the one area that you should be preserving and protecting in a form of policy, you are taking that to drain your resources, not to mention where you are draining it in unnecessary assets that will not stop crime in this country. As a matter of fact, just like how you have police officers using vehicles improperly to take their family out and to do things, you are going to find fast patrol vessels taking fast runs with family and friends down the islands and doing all sorts of other things. There are going to be problems. The more you spend money on unnecessary things, the more you are providing the wherewithal for people to violate your trust and utilize your equipment in ways that they should not.

So, this Government is doing everything possible, from hiring foreign labour, bringing in doctors who cannot speak English. One thing I would like to say, I understand that the Government which has brought in the Cuban doctors is now giving them a sort of a period to fit into the— They have not started to work yet, they are getting the first month or so to—what is the word?

Sen. Seetahal SC: Acclimatize.

Sen. M. F. Rahman: Acclimatize; that is not even the right word—sort of get accustomed to the language and the environment and, well, okay, acclimatize. I am saying that is a redeeming thing in this foreign exchange that you are wasting there. In the first place, be fair to your local doctors. We have young doctors right now in the general hospital, whose contracts have not been renewed for any good reason. We have people who can get concessions from the bank with their mortgages that are paying higher rates because they do not have a steady job to show the banks that they are employed. Doctors who would have had contracts before, contracts expired; six months and seven months pass and they are not getting their contracts renewed, and for no good reason and no question of victimization, it is total laissez-faire, they could not care less, because all the young doctors are being affected.

I cannot understand. There is no logical reason. It is just a question of mismanagement and mis-governance. Why do you not attend to the important little issues? This is very important. We have enough doctors in Trinidad to make sure they are being filled. We have heard from the Attorney General that the

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Prime Minister has the right to veto, but it is not an ongoing right to veto, veto, veto. You veto undesirables. If you are telling me you cannot fill posts, it means that there is nobody fit for the position. You are saying that the entire nation cannot produce personnel to fill vital positions, which the absence of whom from those positions is causing havoc in the country, and causing a continued deterioration in the functioning of the society.

I do not know how much clearer we could give the message on this, you know. It is a very terrible position and we can talk about all this because the Government wants to bring this calumny of raising taxation to an unreasonable level, to raise money that they do not need in that currency. It is the same thing with the property tax. You start it with a 3 per cent today; one budget from now or two budgets from now, it is going to go to 5 per cent, or they are going to revise the value of the properties upwards, and already I have shown you, although it is coming down from 10 per cent to 3 per cent, the base for assessing it is going to be so—what is the word for it—expanded and enlarged that you in fact—*[Interruption]* It is the terminology words I am addressing here; I am not repeating. I am addressing the future where you are going to find increased property taxation, even though you are saying, we are just with a little—*[Interruption]* I am glad you were paying attention.

You know the sad thing, Sir, anybody who gets up and criticize the Government, "he is anti-PNM; he against the Government; he talking so because he doh like us." It is childish; it is a shame; you cannot take criticism and you want to shoot the messenger, because the news is too unpalatable for you to accept. The public has lost confidence in this Government. *[Desk thumping]* I believe that if this Government had the guts to go to the polls tomorrow, they are going to get the boot. Instead of 33-3, it is going to be what, 38-3; if they get three, because I do not think any of the—*[Interruption]* that you would find Ministers who would gain the confidence of the electorate.

Mr. President, we have had a financial collapse; we have had economic collapse and now we are having social upheaval. You know what is amazing, the Prime Minister has brought in a new four letter word into the language. He said it is a "blip"; all of these countries have a blip. So you in one blip, you tighten your belt, and when that blip pass and the new blip start, you slacken your belt and a third blip come and you tighten your belt again.

Sen. Seetahal SC: I thought it was blimp you are saying.

Sen. M. F. Rahman: No, blip, blip, a four letter word. And that word, I will say, this whole Government functioning like a blip, because it is the only four

letter word I could use, without getting into trouble. *[Laughter]* So, we will now put that on the other side of the dictionary.

The Government has to learn to practise sustainable economics. Sustainable economics means a system of economics that regenerates itself without getting into pyramid economics; digging hole to fill hole. This is what this Government has been doing. They have been following the example of Madoff and Stanford, and they have been digging hole to fill hole, and this is bad news.

Forty-seven years of independence and now we are dependent on everybody else; foreign labour. I heard the Minister of Works and Transport talk about the rapid rail system. I hope they do not want to resuscitate that. China is a very patient nation; they waited for decades to get back Hong Kong; they are going to get their pound of flesh from us, you know. Let us go and borrow money from them and one day we will have to give them back something that we might not be able to afford.

Hon. Senator: "Chinee children."

Sen. M. F. Rahman: You never know. Mr. President, Sir, I am going to stay within my 45 minutes to the relief of the other side. It has been very interesting delivering this little—

Sen. Seetahal SC: It has been a pleasure.

Sen. M. F. Rahman: Thank you so much, it is wonderful to hear that. *[Laughter]* If the Government side would wake up, the nightmare would become a pleasure if they started to pay attention.

I thank you all very much. Thank you, Sir.

5.45 p.m.

Sen. Gail Merhair: Thank you very much, Mr. President, for allowing me the opportunity to contribute on this Motion today. Now, when I read the budget statement put forward by the hon. Karen Nunez-Tesheira, Minister of Finance, it stated under "Promoting and Ensuring Healthy Lifestyles" that cigarettes, tobacco, alcohol and spirits were listed under this headline. However, I would really like to find out from the Minister, and I know the hon. Minister, Mariano Browne has indicated earlier on when he was introducing this Motion that it was done in order to promote healthy lifestyle and not as a revenue-based initiative.

However, I would like to suggest—and I would like to do so from a paper that was done on "The Impact of Alcohol in Europe" by Dr. Peter Anderson in which he stated that there are other factors involved when you have to look at the reduction and the harmful effects of alcohol to the citizens of a particular country.

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Now, I understand and I agree with the fact that in order to reduce the use or the consumption of alcohol you must maintain the relative price of alcohol. In so doing, I would like to refer to a document entitled, “Alcohol: Tax, Price and Public Health” and perhaps I can loan it to Sen. Rahman after my contribution, in which it states scientifically that there is a correlation between taxation and the consumption of alcohol. In the UK and in Finland, and as a matter of fact, some of the persons in the United Kingdom, and I will quote from the “Royal College of Psychiatrists” in which they said:

“Government taxation policies should be intentionally employed in the interests of health, to ensure that per capita consumption (of alcohol) does not increase beyond the present level and is by stages brought back to an agreed lower level.”

A group of “Royal College of Physicians and the British Paediatric Association” also states that:

“The real price of alcohol should be regularly increased by taxation to provide a strong price disincentive for young people.”

So, all in all, scientifically, it seems to suggest that there is a relation between the price of alcohol and tobacco and the price that people will in fact, consume it at. What I did not see coming out from the Government's policy is the acknowledgment that alcohol and tobacco are, in fact, diseases, social diseases. I have no problem when people choose to impose what we call “sin taxes” against these commodities. However, I think that in order to have a more holistic approach in dealing with the issue, other factors come into play such as managing the availability of alcohol. I saw nothing that talks about the closeness or the proximity of bars, clubs and rum shops to schools. There should be some legislation that states that schools should not be close to bars, rum shops and clubs. I saw nothing reinforcing the fact that under-aged teenagers can get access into clubs.

We had an incident earlier on last year, I think it was, where it was found out that under-aged teenagers are in fact getting access into clubs, and I think if that be the case, that these club owners and bar owners should in fact be penalized. What about the reduction of alcohol licences that are given by the Magistrates' Court in proximity of schools, again, nurseries and tertiary education institutions?

Another point that I have to raise is that lower blood alcohol levels for driving and high visibility testing—I know my colleague Sen. Basharat Ali always speaks to the breathalyzer. Perhaps we can find out a bit more about that. What about

putting mobile units on the highways early in the mornings—2, 3, 4 o'clock in the mornings—to test some of these drivers who are going home from clubs under the influence? What about during Carnival?

Now, I must admit and I am rather disappointed that the Government has not undertaken any sort of survey or feasibility study to show us, is there a correlation between the number of accidents and deaths that take place on Trinidad and Tobago roads. What relationship does that have with the alcohol consumption? I must state before I make this point that I do own an advertising agency. I want to state that upfront. However, I do believe that there should be some restructure in terms of advertising regulations to manage both the content and the volume in advertisements. Not only in tobacco, because we saw that coming forth in the Bill, but what about alcohol?

I find that it is time now that, perhaps, the Government should start meeting, and I heard the hon. Mariano Browne state that the Government would like to work closely with business and labour and together we can all come up with recommendations to the problem. I would perhaps like to suggest that the Government can speak to persons such as the alcohol companies, the tobacco companies, and probably instil in them to put across some self-imposed regulations on to themselves by having that consultancy done. I am not in any way proposing at all, at no point in time, the total closing down or the destruction of either the tobacco or the alcohol industry. What I am proposing is, to let these persons, after consultations, regulate themselves because after all, if any one of these industries is shut down it will mean that workers would be sent home and it will be the end of a revenue earning devise for the Government.

I would like to strongly suggest that consultations take place with the stakeholders so we could come up with the various ways in which they can self-impose themselves. As a matter of fact—I do not think it is the law here—it is the law in different countries where they must put “drink and drive responsibly”. I do not think that it is a law here at all.

The last point that I would like to make, is that I would like to see that the Government probably reinvest money on educational campaigns that make a difference: Example: battered homes; Alcoholics Anonymous; the Rape Crisis Association and social workers. We need more social workers in schools, when children are interfered with or when children come out of broken homes where there is domestic violence taking place in the homes. So, I would like to see some of the moneys reinvested.

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It is not about using taxation as a means for people to live a healthy lifestyle, but we should put other initiatives in there and I am sure that this list is not exhausted. We could come up with other recommendations if all parties concerned put their heads together, but we need to come up with a whole list of recommendations that can be implemented to take us forward, not just saying put more taxes on alcohol and tobacco and that will be a form of deterrent. Yes, it may, in some instances, but it has been proven that it may not, so we need to put other things in place so that we can have a country that would lead a better lifestyle.

Thank you very much, Mr. President.

Sen. Lyndira Oudit: Mr. President, I thank you for the opportunity to add to this debate. Daily, this country is being brutalized. We have crime, we have gang-related murders, we have kidnapping and we have the ominous threat of human trafficking.

This country is being bruised and battered. The cost of living—daily increased food prices, exorbitant rates and taxes are all affecting the ability of citizens of this country to live a simple yet decent standard of living. At this point in time in this country, we do not need further brutalizing. At this time this country needs hope. The people of this country really need to be uplifted and to be given a sense of goodness back into our daily lives.

I think too much of our country and too many of our people are brutalized and we really need to address that fact. We really need to bring hope to these people and I think this measure of taxing the alcohol and tobacco along with the taxes for the property tax—and we have had for the last couple of weeks, since the presentation of the budget, thousands, not only in the Senate here, in the Lower House, but we have had thousands of views offered via the radio, television, the newspaper, print media, electronic media and online, every aspect of communication in this country as well as internationally—we have heard people talk and lament about this property tax.

Mr. President, these measures are like a plaster on a massive brain hemorrhage. This country right now is hemorrhaging and we do not need plasters. We need people who can deal with this. We need measures that can adequately deal with the problems. Alcohol by itself is not the problem; it is the abuse of alcohol that really is the problem, not only here but throughout the world. These

are ill-thought measures, and certainly, they are too simplistic and grossly inadequate, if we are to truly address the problems of this nation. Higher taxes on alcoholic beverages must be in conjunction with laws relating to the physical availability of alcohol, as well as, to the minimum age, not only for driving, but of purchasing alcohol, as well as the regulation of the licensing of vendors.

An increase in taxes at this time without adopting more far-reaching measures would hardly have an optimum effect. In fact, I think the Government is going to be highly disappointed with the effects, if you really think that the increase in taxes is actually going to affect lifestyle changes or even the carnage on the roads.

Traffic fatalities may very well constitute some sort of sound justification, probably from a society's perspective that public policy intervention must be done so that you increase taxes. In the US alone traffic fatalities for 1994 and upwards have been an average of 1.5 million people arrested for drunk driving and alcohol-related fatalities. So, we have here various policies that have been tried, and so it is the assumption that undesirable behaviour can certainly be curbed if we increase taxes. According to Jacob James, in his article "Drunk Driving an American Dilemma" published in 1989; it says here,

"...that an abrupt downward shift occurred in automobile fatalities...as a result of taxation was more to do with the reason that the public's perception of the probability of being more severely punished..."

was highlighted at the same time.

A further study went on to talk about the fact that people need to perceive increased taxation along with legislation for punishment. Taxation is not the only measure that will bring about this change, we need to have further legislation regarding traffic-related behaviours, for example, seat belts. You have a number of areas.

The Chairman of the road safety group Arrive Alive, Kirk Waithe, told *Sunday Newsday*, and it is reported here on Sunday, September 06, 2009; he says here:

"The reason people do what they do and ignore the law is because they are being allowed to do so."

There are no laws—he says—in Trinidad and Tobago about occupants of a vehicle wearing seat belts while in the back seat of a vehicle.

6.00 p.m.

Mr. President, the article goes on to talk, and says that in the United States—"There are no local statistics to talk about." By the way, somebody mentioned that we do not have statistics in Trinidad, showing a correlation between Carnival

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time or any other festive time and the number of drunk or accident prone fatalities, or accidents relating to alcohol in Trinidad, and that is very true. We need to have proper surveys and studies done, so that when we come up with these measures, they are based on statistics, they are based on real data, hard data that was collected, and we do not just come off willy-nilly, talking about, well we will get \$300 million or \$1—[*Interruption*]

Sen. Browne: It is a wrong decision?

Sen. L. Oudit: It is. It is a wrong decision because of your rationale. Your rationale is wrong. Somebody said, come out and tell the people the truth. You need to be honest with the population. You simply cannot tell them, "Well, we will do it because; because we need to curb your lifestyle and we need to check how you are living, and you need to make better choices." Those are high standing moral values that you really, really cannot introduce in legislation.

Mr. President, the increase in taxes may very well affect a small number of families where alcohol usage might be diminished, if they have to choose between possibly one drink or two, as against, maybe a movie. Somebody talked about movies, but the problem with alcohol, and alcohol related accidents in particular, is not with the older persons who in the majority are not involved in alcohol related accidents. The data for the United States talks about males aged 16 to 25, the age group that is least likely, one, to buckle up with seat belts, two, the perception that they do not believe they will be injured or killed, and yet still, this age group is the nation's highest risk driver, with more drunk driving, more speeding and more crashes. The fear of injury or death, or the increase in the price of the alcohol is not strong enough to motivate this tough to reach group.

Mr. President, this is telling us something very serious. It means this punitive measure of trying to increase the taxes because you are hoping to curb a lifestyle, a lifestyle habit, is not going to work. It is not going to work!

There is something called a deterrence theory, and a deterrence theory has three components. So possibly in determining taxation or whatever other measures that would have been used, if this simply was looked at, a more practical approach to accidents, et cetera, would have been taken. The deterrence theory has something called the certainty of law, the severity of punishment and the celerity of the punishment. And so, increasing taxes does absolutely nothing to deter or to even change any one of those components in what is called the deterrence theory. That deterrence theory was commissioned by a study that was done by Jerome Legge, and it is termed "Policy Alternatives and Traffic Safety:

Mandatory Seat Belts and Drunk Driving Reform." This was in 1990, and the conclusion of that study says, that the law, as well as licence suspension, has a significant effect in reducing night-time fatalities, but taxation for increased cost especially—and they refer to whisky—were not statistically significant.

Mr. President, the hon. Minister, Mariano Browne, really referred to a statement here, and I was quite taken aback with this one. He said, "Cheap booze—"

Mr. President: Senator, the Minister is the Minister in the Ministry of Finance, if you please.

Sen. L. Oudit: The Minister in the Ministry of Finance, thank you, Mr. President. He says, "Cheap booze puts it in an easier reach for the youths." I would like to ask, where are your statistics? Where are the statistics telling you exactly how cheap booze makes it easier for the youths? In fact, I will refer to a study, Minister in the Ministry of Finance. It was done by Johnson and Meier in 1989 and it says here that:

"A 1-per cent increase in taxes on liquor reduces the consumption of it by .783 per cent."

Not even 1 per cent. It is not even a 1 per cent decrease based on a 1 per cent increase in taxes.

"A 1-per cent increase in beer..." was—"accompanied by a .783 per cent in the consumption of distilled liquors."

And so it showed that higher overall tax rates on alcohol, have little, little effect on consumption.

Mr. President, Sen. Merhair spoke about Carnival. If we are a responsible Government and we truly would like to address the issue of road fatalities, then we need to get serious. We have a season of Carnival. At one time it was a Carnival weekend or a week for Carnival, but now we have a season, and there is nothing wrong with that because we have the entertainment industry: we have the mas making industry; we have the steel band and the wire bending. So we have a host of industries that come out as a result of the Carnival industry. But let us face it. I am sure if the suitable studies were done, we would actually see that the road carnage from December to March is going to be phenomenally higher than for the rest of the year. So that what we really have to do is we have to come up with some figures; we have to deal with these things.

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In fact, Mr. President, I refer to an article that was done, not in Trinidad, but for Brazil's Carnival for 2008. From February 01 to 06 for Brazil Carnival, there were 2,396 accidents for those five days, during the time for the Carnival, with a total of 1,590 persons injured. In addition, the police also inspected, it says, 7,167 roadside stores to enforce the banning of the sale of alcohol along federal roads. And in addition to that, 202 motorists were arrested for drunk driving, while 624 persons over that five-day period, failed the blood alcohol test and were not allowed to continue their trips, but were ensured a ride home.

Mr. President, unless we start with our own society, we really need to own, we really, really need to own our problems, and unless we own, we start owning this whole thing, then really and truly what we have is a runaway society; a runaway problem because we are not really facing the real issue. Regardless of what our personal drinking habit is, some might not drink at all. Like my colleague, Sen. Mohammed Faisal Rahman, he might not drink at all.

Sen. Browne: He has other things to do.

Sen. L. Oudit: You have several other persons who indicated that they do drink moderately. So we do have people—in fact, if you look at it, some doctors would tell you for the treatment for kidney stones, you have simple things, beer along with young coconut water might be a very good remedy for kidney stones. We have the Mediterranean diet, which is not only about olive oil, but it is the moderate consumption of a glass or two of red wine. So that there is nothing wrong with your personal drinking habit. And like I said at the start, it is not the use of alcohol, it is the abuse of alcohol that we have to treat with. So, the fact is that alcohol abuse in some way affects us all. It affects us directly.

Probably the best contribution in this House, I must say is the shortest and so I would like to really, really say that I wholeheartedly support Sen. Corrine Baptiste-Mc Knight, when she said, "that budgets like this one are actually going to drive us to drink". And if we do not already drink, then some people are truly going to find, Mr. President, with all due respect, that there is going to be some need for solace, as they say, in the bottle.

We have a culture here that accepts, promotes and tolerates drunkenness, driving under the influence, and even encouraging the young people to drink. We have to own our problem with alcohol and together, Members of the Opposition, Members of the Independent Bench and Members of the Government, we have to deal with this. It is not we per se, but it is our country, and in particular, it is the young people, it is the children who really suffer the most when it comes to this

problem because if we do not deal with this in the right manner, we are setting the stage, as has already been set, for a total breakdown of those things that are related to the abuse of alcohol.

So, Mr. President, my colleague, Sen. Rahman, spoke about bush rum, and I am almost certain that many, many makers of the good old "babash" will pull out their little drums and barrels, and many of them will start back with this old production. When you have increased taxes, increased taxes on alcohol do not mean that people are going to stop drinking it. It means they are going to find another, an alternative, either they are going to buy cheaper alcohol, or they are going to start making their own, and those are the two options.

So we are not dealing here with the people who can bring in, as the hon. Dr. Lenny Saith spoke about, Johnnie Walker Gold. Many of us are not going to be in a position to buy Johnnie Walker Gold. That is, again, this creation of elites in the society. We have an elite musical group for the elite consumption or entertainment of an elite crew. We have a lot of elite people in this group. You know we have a cadre, and so now we have brought it out where the very elite will enjoy the best of imported alcohol, because the rest of the country will simply not be able to afford it. But you are going to see, like I said, many of the old vats and barrels coming back out, so that you are going to see the home brewed—all the home grown varieties, people are going to start looking at that.

Mr. President, the real issue is not about price or even attempting to make alcohol more expensive, because it is clear that those who are determined to drink in excess will do so regardless of how much it costs or how difficult it is to obtain. And so, because I feel that on this particular measure, we must work together, I would like to offer some solutions that may be incorporated in a policy of sorts on the part of the Government and I have come up with basically six solutions.

The first one covers what we call deterrence policy, I would like to suggest immediate and automatic suspension of the driver's permit, if two or more alcohol related violations occur within a two-year period. In addition, it is the belief that hefty fines for first-time offenders must be done.

6.15 p.m.

The second solution deals with alcohol policies. We need to introduce the mandatory blood alcohol level testing immediately. We had another Senator who spoke about the starting of the breathalyzer legislation, but we are taking so long to enact and enforce it. I believe especially that we must limit the number of licensed alcohol vendors. In addition to that—and Sen. Merhair made reference to this—we really need to reduce the number of licensed operators in close proximity to schools and universities.

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Mr. President, I believe that the transportation policies of this country are archaic, outdated and, in fact, do more harm than good. I want to read for you, before I go into the third solution, a source, the Library of Congress on Trinidad and Tobago Economy—Transportation, Communications and Electricity. It says:

"Trinidad and Tobago's road system tended to be concentrated along the industrial ports of Trinidad's west coast...

As a result of Trinidad and Tobago's rapid economic growth, the islands' physical infrastructure generally lagged behind other sectors of the economy, causing various bottlenecks or failures in the country's transportation... systems.

Approximately 4,000 kilometers of roads were not paved..."—out of an average of 8,000—"of which three-quarters... unimproved earth and one-quarter with improved earth. Poor road conditions...especially during the rainy season, contributed to the island's high accident rate. In the late 1970s and early 1980s, the country averaged over 5,000 accidents annually,"—
[*Interruption*]

Sen. Dr. Saith: What year is that?

Sen. Joseph: What is the year of the report?

Sen. L. Oudit: This is referring to the end of the 1980s into the early 1990s. This is a historical review, but they were looking at the rate of development of the infrastructure going hand in hand, or probably not, with the economy.

It says here:

"Unlike most developing countries..."—which is very true—"where public transportation systems dominate, the private automobile was the most typical means of transportation in Trinidad and Tobago....As noted, however, the country's infrastructure did not expand as fast as the automobile sales, and inadequate parking...poor road conditions, and old narrow bridges all contributed to general congestion and the high accident rate."

My third solution comes right out of that; I believe that this country's transportation policies need immediate review. We need to change our traffic rules for vehicle safety. I would suggest that we consider raising the driving age to 21. Review seat belt laws; right now our seat belt laws include only drivers for

the front seat. In fact, there was an accident recently where the young man in the back of the vehicle was thrown out, because he had no seat belt. Our seat belt laws are not adequate. We also need to look at repeat offenders and the possible confiscation of their vehicles.

The fourth solution that I would like to suggest is based on the education and rehabilitation process; these are the primary preventative measures that a country could introduce. The reason it is primary is not only because it attacks the root of the problem, but many of these could be introduced at the lower level primary educational institutions.

Mr. President, if we are to start changing our culture and our acceptance of drinking as a norm and the abuse of alcohol as a norm, we have to change that from the primary school level come up. We really have to change our culture from the primary level.

In the fifth solution I would like to suggest that we look at our insurance and the need to include mandatory third party insurance for all drivers, in the hope that it is going to act as a deterrent. [*Interruption*]

Mr. President: We have a procedural matter.

PROCEDURAL MOTION

The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill): Mr. President, in accordance with Standing Order 9(8), I beg to move that the Senate continue to sit until the conclusion of this debate.

Question put and agreed to.

CUSTOMS (IMPORT DUTY) (CARIBBEAN COMMON MARKET) (AMDT.) ORDER

Sen. L. Oudit: Mr. President, of course the last point has to do with the way in which our infrastructural development has not been up to standard. While we look at alcohol and drunk driving, certainly road conditions, traffic laws, traffic lights and seat belts—you have a number of factors that really come together to create the accident. There are many times, upon checking, you would realize that probably the alcohol level was higher, but, certainly, it may not have been the cause in the first instance, but the excuse was that it was alcohol related. We have to be very clear that we do not simply talk about alcohol, as the be all and end all of the reasons for accidents.

There was quite an interesting article in the *Newsday* of Saturday, June 06, 2009:

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"ATTIC supports new traffic laws"

ATTIC President, Balliram Sawh, said that:

"implementation of the points system, the breathalyser and an increase in fines will positively influence driving behaviour."

They identified a series of things:

"Conditional licensing permits...

Mandatory blood alcohol level testing...

Regulation of driving schools...

Enforcement of inspections for private vehicles...

Legislation for restricting the use of cellular phones while driving."

There are a number of agencies and groups that are trying to send a message, that in formulating policies, if we really are serious about the health and well-being of this country, then we do not sit in our nice little glass bubbles and say, "Well, we alone have the answers". I do not feel that is the right way to go.

In closing, there is a group in Canada called MADD—that seems to be a recurring word in the discussion of this budget—Mothers Against Drunk Driving. It reports that:

"Drunk driving is the leading cause of criminal death in Canada...you are more likely to lose your life to impaired driving than to being murdered."

I would like to close with this:

"...if you drink, it's your own business, but when you drink and drive, it becomes everyone's business."

With that, I thank you, Mr. President. [*Interruption*]

Mr. President: Let me just ask you to catch my eye, not just sit there, because the next time I will ask the Minister to wind up. Once I ask him to wind up, I am going to insist that he winds up. This is the second time that this has happened; catch my eye, please.

Sen. Dr. Jennifer Kernahan: Mr. President, I just want to add a few words to this contribution, because my colleagues have made very in-depth analyses of the problem.

As I sat and listened to the contributions, part of my childhood came back to me, and I saw the evolution of what was happening in the society.

In the first instance, I agree with my colleagues that this imposition of increased taxes on alcohol and tobacco is really typical of the sort of knee jerk reaction that this Government likes to take to serious problems we have in society; the easy way out. They feel that they need more income in the coffers of the Government, because they have squandered away the oil wealth, and the easy thing to do is to increase alcohol and tobacco taxes, under the pretext that this is better for the health and well-being of the citizens. That may be so, but there is no evidence of that. The Government has brought no evidence to support any contention that increasing the taxes would, in fact, impinge positively on the health and well-being of people.

The abuse of alcohol consumption, which leads to addiction, is not something you could cure by increasing the price of it. Persons who are addicted are ill, and they need medical attention. It is an illness, so you need medical attention. Increasing the price of the drug would not stop that person from accessing the drug. As many Senators have said, it would just cause more domestic violence and social chaos in the homes, because more money is going to be spent on these drugs.

It occurred to me, when I was listening to the debate, that when I was younger there were rum shops.

Sen. Browne: A lot younger.

Sen. Dr. J. Kernahan: Alcohol was consumed in rum shops in the communities. I remember I used to go to a school on George Street, Eastern Girls, and there was a rum shop at the corner of Charlotte Street and, I think, there was another one at the corner of Henry Street. There were a couple of rum shops.

When you passed these rum shops, as a young person growing up over 40 years ago, there were old men in these rum shops. When I was growing up in Belmont, I remember all the rum shops, and there were old men in these rum shops; older people used to be in these rum shops drinking.

What has happened over the years, it seems to me, thinking about it now, is that the alcohol consumed in these rum shops was mainly from local sources: Caroni rums and the local rums, local input—but apparently because of the very sophisticated advertising industry, which has penetrated this culture, this community and this country, you find that the consumption of rum and alcohol products have spread out from the older population to younger and younger and younger age groups.

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Alcohol and tobacco are now being promoted and advertised as being a very hip thing to do, a very in-thing to do; to be socially accepted you have to be in the group drinking and smoking and so on. That is because of the penetration of very sophisticated budgets, multimillion dollar budgets by very sophisticated multinational companies, and advertising companies, which have penetrated young persons over the years.

This is what you have to bear in mind, when you are thinking of how you are going to solve the serious problem of alcohol and tobacco addiction by very young people, and getting younger and younger. I think that the ex-Minister of Education, Sen. Manning, had brought the issue that surveys were done in these schools which found that younger and younger children were smoking and drinking. This is the result of very powerful and sophisticated advertising campaigns that encourage this type of activity.

We have a situation now where it is not just the old men drinking in the rumshops, but there is this proliferation of pubs all over, in all the communities. On a Friday evening you see all the young workers, persons who have just drawn their little pay, and the culture now is to gather in all those little pubs. If you go through Arima, every pub is filled to capacity on a Friday afternoon. The young men are drinking and spending away whatever little money they have worked for during the week. Apparently the style now is not just to have one beer in your hand drinking, you have to have two. [*Laughter*] So you are drinking two beers. Unless you could do that, you are not socially accepted into the group.

Then you go into bars with your friends and you have to buy these rounds; everybody has to buy these rounds, and the “hangers” come into the group, and you have to buy for 10 and 12 persons.

6.30 p.m.

Your income for the week goes in that, and there is this culture that the older men before will go home on a Friday evening—normally after they drink out all the money—with a “roti and a loaf of bread” to the wife and children and very often with violence and dissent. Very often they will have domestic flare ups when the husband comes home drunk with this “roti and a loaf of bread” and no money in his pocket.

Mr. President, if you are going to increase the taxes on alcohol and cigarettes, that is not going to stop these men from going to the bars and drinking out their money. They might go home with the bread alone and not the roti, more violence,

more flare ups, more problems in the home, children traumatized and so forth. So that is not the problem, the problem is not the price, because the economists have said that these things are inelastic, the price does not matter.

If you are addicted, and if after weeks and months being in this social setting where you have to drink these beers and buy liquor and you become addicted, the price is not going to matter to you. You are going to buy it and whatever happens after that, the social issues arising—because the family is going to suffer more and more because of the lack of income coming in.

I had to commiserate with a family who just lost a very hard-working young man who had a serious alcohol problem. And his mother told me that he would work from Monday to Thursday and on Thursday afternoon or Friday at 2 o'clock, or whenever he got his pay his cell phone would go off. His friends do not know him during the week, but at 2 o'clock on Friday they know he got pay. They call him, and he goes to drink with them; they would take his bank card, he would get drunk and after buying all these drinks with his bank card, they would leave him there at the side of the road drunk.

This cycle of addiction that this young man had to undergo eventually made him suicidal and he killed himself recently. That was a productive person lost to the society because of that whole cycle and glamourisation of drinking and being part of the social group that was imposed on this society over the years by very powerful forces. This is what we are up against, we are not against a price issue, but powerful forces imposing a culture in the society that to be hip, to be in, to be socially acceptable you have to drink.

Mr. President, you not only have to drink, but you have to drink the most expensive drinks. As far as I understand, when these young people go to the clubs, the guys who are able to command the most expensive drinks; the Hennessy and drinks that cost \$600 and \$800 a bottle, they attract the most beautiful girls in the club. All the girls want to lime by these guys who are drinking the most expensive drinks. It is a culture that has developed because of the advertising.

So these are the issues we have to deal with and we have to deal with them through education. I think one of the Senators mentioned that we have to get at the young children in the primary schools and counter that culture, that strong propaganda campaign that drinking is a good thing, smoking cigarettes is a good thing; it is cool and hip and so forth. It has to be continuous education at all levels coming up and through the school system so you can get your children back on course.

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The other problem is that drinking is caused by lack of social networking, loneliness, people have social problems and they turn to alcohol and these things can be countered by strong communities; community activities; sports in the community; counselling available in the community so they can have somebody to talk to when they have issues that would avoid the question of drinking by the bars.

One aspect of the problem of trying to impose higher taxes which are not going to solve the problem, is how do you involve the owners of these bars in the serious issue of alcoholism among young people and older people that is causing all the deaths on the road, drunk driving and so forth? How do you involve them, whose bottom line depends on selling drinks to people who are obviously going to jump into a car and be a danger to themselves and other members of the society? How do we involve them?

This is the sort of issue that we should be grappling with as a responsible Government and Opposition and involving the dialogue of the people of the society. How do you involve them? Because their objective is to sell as many drinks as possible and make as much money as possible, they do not care that the person they are selling the drinks to would jump behind the wheel of a car and kill themselves and other people. So, how do you get them to put limits on people, to refuse them drinks and so forth that actually obtains in other more advanced and developed countries and so on?

Mr. President, I just want to make these points that we have the issue of the breathalyser that has not been implemented. Why has it not been implemented? That is a very good piece of legislation brought to the Senate. We supported the issue of breathalyser to decrease the number of road deaths due to drunk driving and so forth. We need to implement that; we need to have more police presence on the road especially at 2 o'clock and 3 o'clock in the morning when people are coming from bars and clubs.

We have clubs in this country that advertize free drinks on a Wednesday night and a lot of the time these Wednesday nights into Thursday morning is when many people run into lamp posts going up the Solomon Hochoy Highway. What are we doing about that? How are we engaging those people into some kind of conversation and awareness of the effects that these things are having on our population? How do you engage the population to understand not because the drinks are free, you are going to drink yourself silly and jump behind the wheel of a car? And the only way you can do that is through law enforcement, through the use of policing and breathalysers because in the early days in any society, you

have to enforce the law and then it becomes a culture and people understand and will automatically, maybe obey the law. But you have to enforce the law especially in the early stages of this issue.

So, Mr. President, I am saying with respect to the increase in alcohol and tobacco taxes, we have to look at the advertising lobby, we have to look at the people who impose these cultures making them seem glamorous and important to be part of that culture; we have to look at the people who sell these products and engage them in the conversation in some sense of responsibility for what they do and how much they serve, the persons they serve it to and their ages.

We have to engage in a massive education programme of our young people through the secondary and even primary schools because when you catch these children very young, when they are open to ideas and not yet trapped by certain social impositions, you get through to them and they themselves influence their parents and older people.

When you have very young and bright children they tell you things that will surprise you and they stand for certain policies because "Miss" says so, because this "Miss" is a very important person in their lives and what "Miss" says is almost gospel. So therefore, they are able to influence their parents to some degree.

Mr. President, we are saying on this side that that knee jerk reaction to just fill up your coffers on the pain, addiction and the helplessness of people, who are in any case, not going to stop negative, or self-destructive behaviour because it is more expensive. These things are addictions. Addiction to tobacco is a medical problem; it has to be dealt with medically as well.

We have to have institutions and places where people can go and get help to divorce themselves from these addictions. There are very serious economic effects, because we lose productivity in this country because of alcohol addiction. Young, bright people and so on go to work drunk, or not fully in control of themselves, they leave work early, they miss days, so it is also an economic problem, a productivity problem, a very serious problem to our society and we need to deal with it in a serious way. Just increasing the taxes on alcohol and tobacco is not dealing with the problem; you are not dealing with the root of the problem. You have to go to the root of the problem which is young people developing addictions that have to be medically treated and you have to deal with the strong advertising campaign by very powerful forces which seek to maintain their billion-dollar industries on the pain and suffering of young people who sometimes lose their whole income, their jobs, their families, their livelihood because of these addictions.

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It is very sad, it is dangerous. It is sad for children, wives and families, and it is affecting our society very badly and we urge this Government to deal with it seriously and honestly and not just seek to raise revenue off the pain and suffering of the people.

Thank you.

Sen. Dr. Adesh Nanan: Thank you, Mr. President. Mr. President, I will deal with the Excise Duty (Tobacco Products) Order, 2009 first and then I will deal with the Excise Duty (Alcoholic Beverages) Order, 2009 second.

What we are dealing with in this debate are two drugs really that are illegal, that is, nicotine and ethyl alcohol or ethanol. When I look at the Excise Duty (Tobacco Products) Order, I want to ask the Minister of Trade and Industry and Minister in the Ministry of Finance if there was an oversight because in this particular Order, it speaks to cigars, cheroots and cigarillos containing tobacco.

Well, we all know what cigars are; cheroots are small cigars that are opened at both ends and cigarillos all contain tobacco. The other cigarettes containing tobacco, and the last part is smoking tobacco whether or not containing tobacco substitutes in any proportion.

The question to be asked is, if the Government is really serious, what about chewing tobacco? That is not captured on this Order and it may be that that might become popular since it is left out here in terms of the increase. That is why I said in my opening I will deal with the tobacco first.

We need to understand from the perspective in terms of what is happening to the society and that is why I was very disturbed when I looked at the Ministry of Health in terms of the possibility of utilizing a programme to deal with a problem that already exists in the society because of the excessive use of alcohol and tobacco; that is ethanol and the tobacco.

There are certain problems that would arise from the use of tobacco and ethyl alcohol. In tobacco we are dealing with two differentials; the composition of tobacco deals with nicotine on one hand which is the drug that affects the brain, and the other part is the secondary smoke that is cancerous. We have heard in this debate about a programme to assist in the treatment of diseases relating from the excessive smoking of tobacco.

Mr. President, if the situation is such that nicotine is such a powerful, addictive drug, it is very unlikely that raising taxes on tobacco will prevent the use of tobacco because nicotine acts directly on the brain.

6.45 p.m.

In fact, after someone takes a puff from a cigarette, it takes 15 to 20 minutes for that nicotine to cross the blood barrier and go to the brain. And when that happens, you get a euphoric effect and it is this euphoric effect that is causing the addiction.

So whether you raise the prices of cigarettes constantly, it will not affect this mechanism. This mechanism is a direct mechanism of the drug nicotine that is in the tobacco leaf, on the brain. I would have thought that the Government, if it really wanted to help the population in terms of getting off the nicotine, which is in the tobacco, would have had a programme where it would have given out nicotine patches. The Minister in the Ministry of Finance mentioned these things.

Sen. Dr. Saith: You are debating the Tobacco Bill—

Sen. Dr. A. Nanan: I am not debating the Tobacco Bill; I am debating the Order and I am showing here where the measures being put forward are not necessary, because if you are going, as you said in your contribution, to improve healthy lifestyles, it will not have the effect. *[Interruption]* Attorney General, I have a matter that I would raise with you later in this debate, but I have to link it because it could be considered outside of this debate. But let me go on because it is important, with respect to the population.

The survey of the population will show that because of the fallout of tobacco usage in the society, we have a number of lung-related diseases and a number of not only lung-related, but cancerous. The Government had the opportunity to utilize a system that was costing \$20 million. So this is why we have to question the motive. And do you know what? If you look at the Draft Statements of Revenue for the financial year 2010 and you look at the value on page 4, under alcohol and tobacco taxes, the actual figure in 2008 was \$921,486 and it is going up now in the 2010 estimates to \$1,715,000. That is on that side.

If you go to page 5, with respect to excise duty: "Comptroller of Customs, Ministry of Finance" and you look at the items there and you remove the petrol, the figure is reading \$553,880,581. That is what we are looking at in terms of the actual figure. And the projected in the 2010 estimates for that is \$635,675,000. It is a large contribution. So it is a revenue raising measure; it is a disguise of a revenue-raising measure to fool the population into thinking it is being done for wellness and healthy lifestyles.

The reason that you have to go to this kind of revenue-raising measure at this point in time is because we have heard in this debate about the cost overruns and the large projects and the wastage of taxpayers' money. But if the Government

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had utilized a programme that was offered to it for the \$20 million instead of going to a programme for US \$25 million, you would have had a savings and you would have gotten a better programme than the one that you are utilizing now and you would not have had to tax this population at this level. Then you would have been able to use that programme to map the entire population in terms of the various diseases—and the Minister mentioned in terms of the cost that is required—in terms of the cost for the Government to deal with these problems in the society.

If you had this stratification in terms of the problems in the society and the various diseases in the society, you would have been able to target these people directly and reduce your cost. Unfortunately, that is not the situation. So we must be doubtful; we must be skeptical of your approach with this particular measure.

Again, the Minister mentioned that in terms of the situation of tobacco—and that is not utilizing nicotine any more—with respect to the secondary smoke, that comes in with respect to cancer, especially in an environment where children are, and you have these various diseases that can occur especially in the oral cavity, that is with the newborn, with cleft lips, cleft palates and those situations that will arise from secondary smoke and the contents in secondary smoke. That is another situation that the Government will have to deal with in terms of that particular area.

There is, on the Internet, a lot of information there. In 2002 the Centre for Disease Control and Prevention said that:

“Each pack of cigarettes sold in the United States costs the nation more than \$7 in medical care and lost productivity, over \$2,000 per year per smoker.”

I need to go on to a next paragraph to complement that:

“Another study by a team of health economists finds the combined price paid by their families and society is about \$41 per pack of cigarettes.”

But this other part is what is interesting.

“Substantial scientific evidence shows that higher cigarette prices result in lower overall cigarette consumption.”

I want the Minister in the Ministry of Finance to hear this one.

“Most studies indicate that a 10 per cent increase in price will reduce overall cigarette consumption by 3 per cent to 5 per cent.”

Sen. Browne: That is not a good number. I prefer her numbers. I prefer Sen. Oudit's numbers. It is a better correlation.

Sen. Dr. A. Nanan: So what they are saying:

"Youth minorities and low income smokers are two to three times more likely to quit or smoke less than other smokers in response to price increases."

And they went on to talk about—I need to give you some idea just quickly in terms of the—

Sen. Dr. Saith: You are building a good case for us.

Sen. Dr. A. Nanan: No, I pulled this out, not to make the case for you, that is why I—*[Interruption]* No, but it is 3 per cent. I will show you that relationship, because if you go up to 10 per cent—and I will show in the ethanol because I also wanted to make a plea based on Sen. Oudit's recommendation, about the Mediterranean diet. If for any reason, if there is any possibility that you could watch red wine, because red wine has medicinal purposes in small quantities.

I also want to ask and plead—I do not know if malt beverages include Malta, I am not sure, but if it does, you might consider that one too. Because, you see—I had better do the two of them concurrently because I wanted to deal with the alcohol aspect. This particular tariff on the alcohol side really points to the percentage of ethanol in these beverages and if you look at the percentage—and that is why, when Sen. Mark talked about Bay Rum and you all did not respond, it is a possibility that the Bay Rum would be flying off the shelves, and I will tell you why.

Sen. Dr. Saith: You do not get Bay Rum again, you know.

Sen. Dr. A. Nanan: It comes from the Caricom market. So people will be drinking Bay Rum. In fact, a number of people drink Bay Rum already. It is because of the alcohol content and we have to look at the alcohol content and the percentage of alcohol in these drinks. That is why I want to make the plea. *[Interruption]* Well, if you are going to railroad your measure through the Senate, at least we could beg or ask you for the red wine and the Malta, for some reason.

But the point was made again, which I need to reinforce in a slightly different way because we are going to have a situation or we already have it, around Carnival time we have a lot of bush rum that comes forward. Sen. Rahman talked about alcohol poisoning and deaths due to bush rum. That is another area. If it is not distilled properly, you would not get ethanol; you would get methanol, which causes blindness. So it will affect your eyesight. So although the taste is the same it has a very dangerous possibility there. *[Interruption]*

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But if you put a measure like this and you are going to have a situation where you have that increase in that particular black market area of bush rum coming forward, you have to be very careful because you are saying that your measure will improve the lifestyles in terms of—and if in that situation where you have the population now turning to bush rum, which is unhealthy, how could you have the healthy lifestyle that you are fostering there, with that measure? So that is one area.

The other area of interest, too, is the area of smuggling and the area of contraband whisky coming into the country, because we have seen it already. Before you even raise the tax, you already had contraband whisky coming in, without any increase in taxes. So now you will have more opportunities for contraband whisky to come into the country.

Our suggestion, really, is—in fact, everybody on this side made that suggestion, that you should not have raised taxes at this point in time, because you would have had enough money if you did not have the cost overruns in the other projects. So it is really, as Sen. Mark said, scraping the bottom of the barrel with respect to that particular measure. [*Interruption*] Well, you see, we are talking about \$80 million; we are talking about a collection, as I showed here in terms of the large figure. The \$80 million is the increase, but how much are you really collecting? [*Interruption*] Do you know how many beds you could put in the hospital for \$80 million if you could have saved that?

What we are also proposing is if you could take that money—because we know your spending capabilities; spend, spend, spend—and show us that you will put it in a special programme directly—and it does not get lost in the Consolidated Fund—to deal with tobacco dependence and alcohol withdrawal, then we will accept that.

The other area I want to deal quickly with is the situation at the dental office which the Minister in the Ministry of Finance spoke about in terms of the effect of nicotine. We need to know the effect of alcohol. On the one hand we have nicotine affecting the brain; it works on the transmitters in the brain and it mimics the transmitters so you have that rush. That euphoric feeling is really triggered by these large numbers of transmitters being released and giving you that euphoric feeling and that is the addictive property. On the other hand, alcohol works a little differently. Alcohol is, what you call, a sedative hypnotic. So all this Valium and Frisium and Ativan that many people take as tranquilizers, this ethanol also has that property. That is why you could use these tranquilizers to wean you off the alcohol at some point in time.

7.00p.m.

But, the way alcohol works in the brain, it is that it inhibits a transmitter. It acts on an inhibiting transmitter called gamma-Aminobutyric acid. With that transmitter, when it is inhibited by alcohol, the body eventually produces less and it has a deleterious effect on the body. That is how alcohol works on the brain. It is because of that effect that people who become addicted to alcohol waste away so quickly, because the body is not producing enough of this gamma-Aminobutyric acid. That situation develops with alcoholics not having a proper appetite. They just waste away.

In the society, we should have—if we had done the mapping of the society—a benchmark, in terms of where we have arrived and we would have known in advance how many people we are targeting; the people who are affected by alcohol and tobacco, in terms of their addiction. We would have known how many people are to be treated. We do not know. That is why when I made my contribution on the Tobacco Bill, which is different from this, I made reference to the farmers and the stress that the farmers go through in their daily lives, because of the failure of the Minister of Agriculture, Land and Marine Resources. It is because of that situation there is the possibility of their becoming addicted to smoking. That is why when Sen. Baptiste-Mc Knight said that this budget would drive people to drink, I supported her fully, in terms of that particular statement. She was telling the truth, especially with the property tax that everybody is afraid of.

A number of people have come to me for my advice with respect to—
[*Interruption*]

Hon. Senator: Property tax?

Sen. Dr. A. Nanan: Yes, having seen the debate in Parliament and trying to understand.

The Government is still waxing and waning, toing and froing and flipflopping here and there with respect to property tax. It might come like a train in the night and we have to be prepared for that.

I wanted to give you an idea of the situation, with respect to the price of cigarette and taxes. I would quote from this document. I would get the reference for you:

“Many nations have implemented some form of tobacco taxation. As of 1997”—this is an old document—“Denmark had the highest cigarette tax burden of...” [*Interruption*]

Sen. Enill: Source, source.

Sen. Dr. A. Nanan: I would give you the website. I told you that it is an Internet document. I could hand it over to you. This is not the manifesto.

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“\$4.02 per pack. Taiwan only had a tax burden of \$0.62 per pack. Currently, the average price and excise tax on cigarettes in the United States is well below those in many other industrialized nations.”

I know the information is outdated, but it shows a trend in what has happened.

“...cigarette taxes vary (widely) from state to state in the United States. For example, South Carolina has a cigarette tax of only 7 cents per pack”,—the nation’s lowest—“while Rhode Island has (the highest) cigarette tax...”—in the United States.

In the United States it is a little different. Whereas you have taxes varying from state to state and you have a situation where you can have that black market developing, where people would go to the other state to buy their cigarettes, you do not have that situation within this particular island, but you can have it within the Caricom region, where you will have trade between the islands, with respect to the different products. That is what we have to be careful of, if we are trying to lock down our borders with respect to this.

It is interesting that in Canada, cigarette taxes have raised prices of the more expensive brands to over \$10. In the United Kingdom, a packet of cigarette typically costs between £4.25 and £5.50, depending on the brand purchased and where the purchase is made. The United Kingdom has a strong black market for cigarettes, which was formed as a result of the high taxation. It is estimated that 27 per cent of cigarettes and 68 per cent of hand rolling tobacco consumption was non-UK duty paid. We have evidence to show you that high taxes for these products can cause a black market to develop or which has developed.

In terms of the Attorney General, I need to deal with this. It is nothing too heavy. It is just a slight reference to something. When I was doing this particular research, something came on my computer and I was a little bit concerned about that for the citizens of Trinidad and Tobago. The link really is because of the situation that we face. Because of the gross incompetence of the Government and the global economic crisis, many people might gravitate to something like this in the country. What I am speaking about is a scam that they are running on the Internet. It is scam that is offering you almost £1 million. It is running in a situation where you will get an email saying that you have been selected from a million people who use Hotmail, Yahoo and Gmail and you are one of the six chosen for that month. Many people, without knowing, would gravitate towards something like that. They are offering you £820 and they are asking for information. They are giving you payment of the prize and all the information which you have to follow-up, but they want your full name. [*Interruption*]

Sen. Joseph: What is the relevance to what we are debating?

Sen. Dr. A. Nanan: I just gave the link. If you were listening, you would have heard that I showed the link. *[Interruption]*

Sen. Joseph: What is the relevance?

Sen. Dr. A. Nanan: The relevance is because of the gross incompetence of the Government and the mismanagement of the economy. Now we are in hard economic times, because of your incompetence, many people might gravitate towards something like this to get them out of that situation.

I am pointing this to the Attorney General. When I looked at the particular reference for this, I looked at the Yahoo Award Centre and I went to that location, I found that there are a number of possible schemes like this. Lower down, at the very end, when they were doing this particular thing, that is the exact email I got, they said to contact your Attorney General. How many people can really contact the Attorney General for a matter like that? *[Interruption]*

Sen. Mark: Not many.

Sen. Dr. A. Nanan: That is why I have brought this to your attention, because I still have the opportunity to interact with you. *[Interruption]*

Sen. Dr. Saith: He is more available.

Sen. Dr. A. Nanan: I just wanted to bring this to your attention because of this particular issue. That was a quick reference to that area.

We heard in this particular debate about the situation with cancer and the Oncology Centre and the lack of an oncology centre. *[Interruption]* If it was left out, I need to address it. I wanted to follow up on that particular issue; the issue of using snuff and smokeless tobacco, because it can become very popular. It has been left out from the Order Paper.

As a dental surgeon, it is my business to inform the Government as well as the nation, with respect to the dangers if that particular habit becomes popular in Trinidad and Tobago. *[Interruption]*

Sen. Dr. Saith: Snuff?

Sen. Dr. A. Nanan: And chewing of tobacco. It destroys all the teeth in the mouth. It is a serious matter, because if the teenage population starts to use this particular smokeless tobacco, it would have a deleterious effect on the structure of the teeth and gingiva. What will happen is that we would have a situation developing where our teenagers will have to have their teeth removed at a very

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early age and they will have to wear dentures. *[Interruption]* Minister in the Office of the Prime Minister, it will not cause my practice to shut down, it might improve my practice. The population needs to be aware, because if that becomes very prevalent then you can have the other area where there is the loss of teeth in the mouth and you will also have the possibility of cancer. If people have gotten rid of the cancer—by the way, the dental surgeons are the ones to pick up cancer very early, especially when you look into the mouth. It normally appears on the tongue, the floor of the mouth or the back of the mouth.

In terms of actually picking up the cancer, if you pick up the cancer, a biopsy is done and it is treated. If the cancer is treated early and you continue to use nicotine, whether you are chewing or smoking, it can cause the cancer to reoccur in a more intense way. Nicotine has that effect. Even if it has that effect, if you go for a simple extraction and you are using nicotine—a lot of smokers do not know that—you can have excessive bleeding. It actually reduces the immune response. I want to make that point, with respect to that particular area.

I would just deal with alcohol as a drug, which is ethyl alcohol. I made reference earlier, with respect to the withdrawal symptoms from alcohol. We heard in this debate of various centres being utilized for the treatment of alcohol addiction. I do not know how many of you are aware, in terms of delirium tremors, that is the withdrawal symptoms from alcohol and the kind of state that a person can be in if they are not getting alcohol. You would have seen it in many of the westerns, when they try to remove people from alcohol. They would have to lock them in the home and people would have to hold them on their beds and keep them there. They would be searching all over the house to find alcohol to get a drink.

In our society, we have many people like that, if you pull them off the alcohol very quickly. They can go into withdrawal symptoms and burn down the house looking for alcohol. That is exactly what it is; it is a gateway drug to higher drugs. You can use alcohol to do that. There is the same effect. The physical effects of withdrawal symptoms are very, very difficult to treat. It is a long drawn-out process. That is why we are telling the Minister in the Ministry of Finance, if the money was put into these programmes to wean these people off the alcohol over a prolonged period of time, we could have supported that measure.

We heard in this debate about the effects of alcohol for drivers. One of the effects, if you look at the curve for alcohol, is that of the percentage increases in hallucinations. Hallucinations and disorientation at certain levels will cause those accidents. Everything that was said in this debate is relevant, with respect to the effects of alcohol at different concentrations.

7.15 p.m.

Mr. President, alcohol also has a certain degree of medicinal purpose, in terms of the removal of alcohol from the system. The last matter I want to raise before I complete my contribution is that we are talking about living longer, and I do not know if Senators would have seen the cartoon—I do not know how true this is. I looked for the information and I did not see it—which says that every cigarette that you smoke you lose seven minutes of your life. I do not know if that is factual. This is something to think about.

We are talking about living longer and ageing better, and I think that is what the Minister of Trade and Industry and Minister in the Ministry of Finance put forward with respect to the measure, but we also have to look at the younger generation, especially babies; born and unborn. We in the Opposition are trying to secure this generation, and you would have to treat those who are already addicted.

We heard of measures here in terms of preventing alcohol abuse and tobacco use which will benefit babies; born and unborn, children, teenagers, mothers, fathers, grandparents and, essentially, every single citizen in our society. That is why we have entered into this debate to show that you are on the wrong track with raising taxes on cigarettes and alcohol.

I thank you. [*Desk thumping*]

The Minister of Trade and Industry and Minister in the Ministry of Finance (Sen. The Hon. Mariano Browne): Mr. President, thank you very much. I want to thank the hon. Senators for their contributions; both for, some indifferent and some I would say against the Motion. I think that Sen. Rahman certainly was proposing a different solution. I thank Sen. Corrine Baptiste-Mc Knight for her witticism with respect to alcohol. I think this is clearly a measure which we can all support.

I just want to make the point that when you remove the ridiculous on one end, the improbable on the other, what you are probably left with is the truth. In this particular instance, a device that raises \$80 million which works out to approximately .002 per cent in terms of your total revenue position is hardly a revenue raising device. So, after all the commentaries with regard to scraping the barrel and looking for revenues and so on, the reality is that it is what it is; an attempt to move in a particular direction.

Sen. Lyndira Oudit made the point that there are a number of other measures that ought to come in addition to this, and the reality is that this is a budget debate, so we can only deal with fiscal measures. Many of the other measures that

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you talked about are, in fact, done by way of social sector systems to NGOs and in partnership with NGOs as distinct from a Government's sponsored effort. I think I want to make that point.

The Government's approach in terms of dealing with social problems has been to work through NGOs. So, there are a number of parallel programmes which deal with demand reduction and avoidance devices which are done in partnership through the Ministry of Social Development with other NGOs for which you may not be aware of and, certainly, done through the level of financial support afforded to many organizations.

With respect to the issue of the correlation between drunk driving and the level of accidents taking place on the road, clearly there are measures which have to be brought and put in place. Like everything else, there is a place and a time for everything and, presently, we are dealing with one measure and other measures will come to the Parliament. There are a number of improvements which are being done to the administration of the safety laws and road traffic maintenance, and the development of the Licensing Authority which will address the issue of enforcement on the roads. That will come. That is not here today. Yes, this is one measure that stands by itself, but this is not to say that there are not other measures that will come. I just want to put that into position. I just want to make that point abundantly clear.

Whilst I like the alternative suggested by Sen. Rahman, not all of us of course, by religion, are allowed such luxuries, for want of a better way of putting it. I think the *Holy Quran* enjoins that you may only have another wife if you can afford it. I must recognize his ability and, certainly, his munificence, and the fact that he is amply provided. You can speak for yourself and I am very glad that you have.

Mr. President, having regard to everything else that has been said—whilst the argument was that there were no studies being done—I want to thank the Opposition for laying all the studies that the Government did not lay on the table, and for quoting all the various arguments which still show that the price effect works. I think the price elasticity of the demand is what you are talking about; a one percentage increase in price leads to .783 per cent reduction. That is a good correlation. That is a very positive correlation. It was a lot higher than I thought it was and, certainly, much higher than the statistics quoted by Sen. Dr. Adesh Nanan. I think you all could have coordinated your sourced documents, and that may have been a little better.

The reality is that at the end of the day the price mechanism does work. In other jurisdictions, certainly in the case of Canada, the sale of alcohol is controlled almost exclusively by the State. This is also in the case of Sweden, Finland and Norway. The taxes on those items would make ours pale by comparison. They are astronomical, and yet they still have difficulties in terms of managing the way people drink and managing the level of abstinence that takes place in the society.

It is true that the increase in alcohol taxes does not necessarily lead to one's reduction in the consumption of alcohol, and having said that, we could not in all good conscience not do it. The reality is that you have to start. We may view this measure as a first step, so I would not prejudge what else may come on another occasion.

Mr. President, having regard to everything else that has been said, I beg to move that this Motion be carried. [*Desk thumping*]

Question put and agreed to.

Resolved:

That the Customs (Import Duty) (Caribbean Common Market) (Amendment) Order, 2009, the contents of which are set out below, be confirmed:

- L. N. No. 50 of 1980
1. The Customs (Import Duty) (Caribbean Common Market) Order, 1980 is amended in the Schedule by deleting all the Tariff Heading Numbers from 2202.90.20 to 2403.10.00 and the respective Tariff Descriptions and Common Market Rates of Duty in the First, Second and Third Columns, respectively, and substituting the following:

"FIRST COLUMN <i>Tariff Heading Number</i>	SECOND COLUMN <i>Tariff Description</i>	THIRD COLUMN <i>Common Market Rate of Duty</i>
2202.90.20	Malt Beverages	\$0.26 per litre at an original gravity of 1050° and so in proportion for any difference in quantity or gravity.

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“FIRST COLUMN <i>Tariff Heading Number</i>	SECOND COLUMN <i>Tariff Description</i>	THIRD COLUMN <i>Common Market Rate of Duty</i>
2203.00.10	Beer	\$4.28 per litre at an original gravity of 1050° and so in proportion for any difference in quantity or gravity.
2203.00.20	Stout	\$4.28 per litre at an original gravity of 1050° and so in proportion for any difference in quantity or gravity.
2203.00.90	Porter and Ale	\$4.28 per litre at an original gravity of 1050° and so in proportion for any difference in quantity or gravity.
2204.10.00	Sparkling Wines	\$29.33 per litre.
2204.20.00 2204.21.00	Other Wine; grape must with fermentation prevented or arrested by the addition of alcohol: In containers holding 2 litres or less	\$13.69 per litre.
2208.30.00	Whiskies:	
2208.30.10	In bottles of a strength not exceeding 46% vol.	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.

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“FIRST COLUMN <i>Tariff Heading Number</i>	SECOND COLUMN <i>Tariff Description</i>	THIRD COLUMN <i>Common Market Rate of Duty.</i>
2208.30.90	Other	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
2208.40.00	Rum and other spirits obtained by distilling fermented sugarcane products:	
2208.40.10	In bottles of a strength not exceeding 46% vol.	\$66.04 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
2208.40.90	Other	\$66.04 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
2208.70.00	Rum Punch	\$66.04 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
2208.50.00	Gin and Geneva:	
2208.50.10	In bottles of a strength not exceeding 46% vol.	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.

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“FIRST COLUMN <i>Tariff Heading Number</i>	SECOND COLUMN <i>Tariff Description</i>	THIRD COLUMN <i>Common Market Rate of Duty.</i>
2208.50.90	Other	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength
2208.60.00	Vodka	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
2208.70.00	Liqueurs and cordials	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
2208.90.90	Other Potable spirits	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
2208.20.00	Spirits obtained by distilling grape wine or grape marc:	
2208.20.10	Brandy, in bottles of a strength not exceeding 46% vol.	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
2208.20.90	Other	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.

“FIRST COLUMN <i>Tariff Heading Number</i>	SECOND COLUMN <i>Tariff Description</i>	THIRD COLUMN <i>Common Market Rate of Duty.</i>
2402.10.00	Cigars, cheroots and cigarillos, containing tobacco	\$26.23 per kilogram
2402.20.00	Cigarettes, containing tobacco	\$3.81 per pack of 20 and so in proportion when not so packed.
2403.10.00	Smoking tobacco, whether or not containing tobacco substitutes in any proportion	\$49.78 per kilogram.”

EXCISE DUTY (ALCOHOLIC BEVERAGES) ORDER

The Minister of Trade and Industry and Minister in the Ministry of Finance (Sen. The Hon. Mariano Browne): Mr. President, I beg to move,

Whereas it is provided by section 13(2) of the Excise (General Provisions) Act, Chap. 78:50 that the Minister may by Order impose any new excise duty or increase any excise duty and from the date of publication of the Order in the *Gazette* and until the expiry of the Order the duties specified in the Order shall be payable in lieu of the duties payable prior thereto:

And whereas it is provided by the said subsection that every Order issued under that subsection shall after four days and within twenty-one days from the date of its first publication be submitted to Parliament and Parliament may by resolution confirm, amend or revoke the Order and upon publication of the resolution of Parliament in the *Gazette*, the resolution shall have effect and the Order shall then expire:

And whereas the Excise Duty (Alcoholic Beverages) Order, 2009 was made under section 13(2) of the Excise (General Provisions) Act, and first published in the *Gazette* on the 07th day of September, 2009:

And whereas it is expedient to confirm the said Order:

Be it resolved:

That the Excise Duty (Alcoholic Beverages) Order, 2009, the contents of which are set out below, be confirmed:

1. The excise duty on alcoholic beverages is as follows:

New excise duty on alcoholic beverages	"Tariff Heading Number	Product	Excise Duty
	2202.90.20	Malt Beverages	\$0.26 per litre at an original gravity of 1050° and so in proportion for any difference in quantity or gravity.
	2203.00.10	Beer	\$4.28 per litre at an original gravity of 1050° and so in proportion for any difference in quantity or gravity.
	2203.00.20	Stout	\$4.28 per litre at an original gravity of 1050° and so in proportion for any difference in quantity or gravity.
	2203.00.90	Other	\$4.28 per litre at an original gravity of 1050° and so in proportion for any difference in quantity or gravity.
	2208.40.00	Rum and other spirits obtained by distilling fermented sugarcane products:	
	2208.40.10	In bottles of a strength not exceeding 46% vol.	\$66.04 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
	2208.40.90	Other	\$66.04 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.

*Excise Duty (Tobacco) Order**Monday, September 28, 2009*

New excise duty on alcoholic beverages	"Tariff Heading Number	Product	Excise Duty
	2208.70.00	Rum Punch	\$66.04 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
	2208.50.00	Gin and Geneva:	
	2208.50.10	In bottles of a strength not exceeding 46% vol.	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
	2208.50.90	Other	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
	2208.30.00	Whiskies:	
	2208.30.10	In bottles of a strength not exceeding 46% vol.	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
	2208.30.90	Other	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
	2208.60.00	Vodka	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.

Excise Duty (Tobacco) Order
[SEN. THE HON. M. BROWNE]

Monday, September 28, 2009

New excise duty on alcoholic beverages	“Tariff Heading Number	Product	Excise Duty
	2208.70.00	Liqueurs and cordials	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
	2208.90.90	Other	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
	2208.20.00	Spirits obtained by distilling grape wine or grape marc:	
	2208.20.10	Brandy, in bottles of a strength not exceeding 46% vol.	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
	2208.20.90	Other	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
	2204.10.00	Sparkling wine	\$29.33 per litre.
	2204.21.00	Other wine; grape must with fermentation prevented or arrested by the addition of alcohol: In containers holding 2 litres or less.	\$13.69 per litre.”

Clause 8 of
L. N. Nos.

266 and 277 of 2006
revoked

2. Clause 8 of the Provisional Collection of Taxes Order,
2006 is revoked.

Question proposed.

Question put and agreed to.

Resolved:

That the Excise Duty (Alcoholic Beverages) Order, 2009, the contents of which are set out below, be confirmed:

1. The excise duty on alcoholic beverages is as follows:

New excise duty on alcoholic beverages	Tariff Heading Number	Product	Excise Duty
	2202.90.20	Malt Beverages	\$0.26 per litre at an original gravity of 1050° and so in proportion for any difference in quantity or gravity.
	2203.00.10	Beer	\$4.28 per litre at an original gravity of 1050° and so in proportion for any difference in quantity or gravity.
	2203.00.20	Stout	\$4.28 per litre at an original gravity of 1050° and so in proportion for any difference in quantity or gravity.
	2203.00.90	Other	\$4.28 per litre at an original gravity of 1050° and so in proportion for any difference in quantity or gravity.
	2208.40.00	Rum and other spirits obtained by distilling fermented sugarcane products:	
	2208.40.10	In bottles of a strength not exceeding 46% vol.	\$66.04 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.

Excise Duty (Tobacco) Order
[SEN. THE HON. M. BROWNE]

Monday, September 28, 2009

New excise duty on alcoholic beverages	"Tariff Heading Number	Product	Excise Duty
	2208.40.90	Other	\$66.04 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
	2208.70.00	Rum Punch	\$66.04 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
	2208.50.00	Gin and Geneva:	
	2208.50.10	In bottles of a strength not exceeding 46% vol.	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
	2208.50.90	Other	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
	2208.30.00	Whiskies:	
	2208.30.10	In bottles of a strength not exceeding 46% vol.	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
	2208.30.90	Other	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
	2208.60.00	Vodka	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.

*Excise Duty (Tobacco) Order**Monday, September 28, 2009*

New excise duty on alcoholic beverages	“Tariff Heading Number	Product	Excise Duty
	2208.70.00	Liqueurs and cordials	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
	2208.90.90	Other	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
	2208.20.00	Spirits obtained by distilling grape wine or grape marc:	
	2208.20.10	Brandy, in bottles of a strength not exceeding 46% vol.	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
	2208.20.90	Other	\$140.08 per litre Alc./Vol. and so in proportion for any part of a litre or for any greater or lesser strength.
	2204.10.00	Sparkling wine	\$29.33 per litre.
	2204.21.00	Other wine; grape must with fermentation prevented or arrested by the addition of alcohol: In containers holding 2 litres or less.	\$13.69 per litre”.

Clause 8 of L. N. Nos. 266 and 277 of 2006 revoked

2. Clause 8 of the Provisional Collection of Taxes Order, 2006 is revoked.

EXCISE DUTY (TOBACCO PRODUCTS) ORDER

The Minister of Trade and Industry and Minister in the Ministry of Finance (Sen. The Hon. Mariano Browne): Mr. President, I beg to move,

Whereas it is provided by section 13(2) of the Excise (General Provisions) Act, Chap. 78:50 that the Minister may by Order impose any new excise duty or increase any excise duty and from the date of publication of the Order in the *Gazette* and until the expiry of the Order the duties specified in the Order shall be payable in lieu of the duties payable prior thereto:

And whereas it is provided by the said subsection that every Order issued under that subsection shall after four days and within twenty-one days from the date of its first publication be submitted to Parliament and Parliament may by resolution confirm, amend or revoke the Order and upon publication of the resolution of Parliament in the *Gazette*, the resolution shall have effect and the Order shall then expire:

And whereas the Excise Duty (Tobacco Products) Order, 2009 was made under section 13(2) of the Excise (General Provisions) Act, and first published in the *Gazette* on the 07th day of September, 2009:

And whereas it is expedient to confirm the said Order:

Be it resolved:

That the Excise Duty (Tobacco Products) Order, 2009, the contents of which are set out below, be confirmed:

1. The excise duty on tobacco products is as follows:

Excise duty on tobacco products	“Tariff Heading Number	Product	Excise Duty
	2402.10.00	Cigars, cheroots and cigarillos, containing tobacco	\$26.23 per kilogram
	2402.20.00	Cigarettes containing tobacco	\$3.81 per pack of 20 and so in proportion when not so packed
	2403.10.00	Smoking tobacco, whether or not containing tobacco substitutes in any proportion	\$49.78 per kilogram.”

Question proposed.

Question put and agreed to.

Resolved:

That the Excise Duty (Tobacco Products) Order, 2009, the contents of which are set out below, be confirmed:

Excise Duty (Tobacco) Order
[SEN. THE HON. M. BROWNE]

Monday, September 28, 2009

1. The excise duty on tobacco products is as follows:

Excise duty on tobacco products	“Tariff Heading Number	Product	Excise Duty
	2402.10.00	Cigars, cheroots and cigarillos, containing tobacco	\$26.23 per kilogram
	2402.20.00	Cigarettes containing tobacco	\$3.81 per pack of 20 and so in proportion when not so packed
	2403.10.00	Smoking tobacco, whether or not containing tobacco substitutes in any proportion	\$49.78 per kilogram.”

Clause 6 of
L. N. Nos.
266 and 277
Of 2006
revoked

2. Clause 6 of the Provisional Collection of Taxes Order, 2006 is revoked.

ADJOURNMENT

The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill): Mr. President, I beg to move that this Senate do now adjourn to Tuesday, September 29, 2009 at 1.30 p.m., which is Private Members' Day. We will continue our debate on Motion No. 1 under “Private Business” which is in relation to the EITI issue.

Adjournment

Monday September 28, 2009

May I also advise that as agreed, on Thursday, October 01, 2009 at 1.30 p.m. we will be doing the Commission of Enquiry (Validation and Immunity from Proceedings) Bill. May I also further advise that on October 06, 2009, we propose to do the Proceeds of Crime Bill which is No. 7 on the Order Paper, and which has been there for some time. If it is passed in the other place on Wednesday, September 30, 2009, we propose as soon as we have the Financial Investigation Unit Bill we are going to make it available to all Senators since both Bills are, in fact, related in one way or the other. So, that is the plan that we have set out for the next two weeks.

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 7.29 p.m.

WRITTEN ANSWERS TO QUESTIONS

The following question was asked by Sen. Lyndira Oudit:

Cocoa Programmes (Details of)

- 29.** Could the hon. Minister of Agriculture, Land and Marine Resources inform the Senate of the Ministry's programmes, in the different geographical regions of Trinidad and Tobago specifically geared to the planting, harvesting, processing and marketing of cocoa to regional and international markets?

The following reply was circulated to Members of the Senate:

The Minister of Agriculture, Land and Marine Resources (Sen. The Hon. Arnold Piggott): Trinidad and Tobago is sub-divided into the following geographical growing regions in terms of cocoa production:-

- 1) **Northern Range**:- Maracas, Blanchisseuse, Brasso Seco, Aripo, Lopinot, Cumana, Grande Riviere, Matelot and Toco;
- 2) **North Eastern Region**:- Tamana, Sangre Grande, Fishing Pond, Manzanilla, Plum Mitan and Biche;
- 3) **South Eastern Region**:- Ecclesville, Poole, Rio Claro, Tableland and Moruga;
- 4) **Central Region**:- Gran Couva, Mamoral, Tabaquite, Flanagin Town, and Brasso Venado;

- 5) **South Western Region**:- Erin, Rancho Quemado, Coromandel and Siparia; and
- 6) **Tobago**: - Roxborough, Speyside, Charlotteville, L'Anse Fourmi and Mason Hall.

The following programmes of the Ministry of Agriculture, Land and Marine Resources are specifically geared towards the production, processing and marketing of cocoa in all of these regions:-

- a) Production of planting material by the La Reunion Propagation Station. This material is sold to farmers at **TT\$1.00** per plant as **cloned, grafted** or **seedling trees** of Trinidad Selected Hybrids (TSH) varieties. Between 300,000 to 500,000 plants are available to farmers annually for the rehabilitation and establishment of estates.
- b) Training and education of cocoa farmers in all aspects of production and processing technology. This training is conducted by-
 - The Extension Training and Information Section (ETIS), Ministry of Agriculture, Land and Marine Resources through various specialized cocoa courses at the Farmers Training Centre (FTC) which is located in Centeno;
 - Extension staff of the Cocoa and Coffee Industry Board (CCIB); and

The Cocoa Steering Committee and Technical Working Group were launched in 2008 as a grouping of cocoa stakeholders under the leadership of the Cocoa Research Section, Ministry of Agriculture, Land and Marine Resources. These groups are undertaking to train Cocoa Farmers using the Farmer Participatory Approach methodology. This is an inquiry based instruction method where farmers discover for themselves various aspects of cocoa management (**Discovery Based Learning**). The activities are being conducted on three(3) On- Farm Trials which were established in 2007 on farmers' holdings at **Gran Couva, Biche** and **Tamana**, as part of an international collaborative project with the International Cocoa Organization, Bioversity International and Common Fund for Commodity entitled "Cocoa Productivity and Quality Improvement A Participatory Approach".

- c) The Cocoa and Coffee Industry Board is involved in the following:-
 - (i) the licensing of five (5) central fermentaries at **Biche, Rio Claro, Tamana, Tabaquite** and **Tableland**. These fermentaries will provide cocoa farmers with the option to sell wet cocoa, which will standardize the final quality of processed beans;

- (ii) in conjunction with the Agricultural Development Bank (ADB), facilitating **soft credit loans (the Cocoa Revitaliser Loan)** to farmers for improving agronomy, rehabilitation and new planting of estates. Some eight million (\$8 Mn.) in such loans have already been facilitated through the Agricultural Development Bank;
 - (iii) engaging the University of Trinidad and Tobago (UTT) in the research and development of labour saving devices, which can be used by cocoa farmers; and
 - (iv) supporting the formation of twelve (12) cocoa farmers' groups in Trinidad and one (1) in Tobago. These groups have benefited from a grant of machinery by the Agricultural Society of Trinidad and Tobago (ASTT) and mist blowers from the Cocoa and Coffee Industry Board to equip its members to better manage their estates through **pruning, weed control** and **Black Pod Disease** control.
- d) The Research Division, Ministry of Agriculture, Land and Marine Resources is actively engaged in the breeding of improved cocoa varieties with better resistance to **Black Pod Disease, yield traits** and **flavor profiles**. A current pool of **nineteen (19)** commercial Trinidad Selected Hybrid varieties is available. In addition, applied research technology is disseminated to Extension Section and farmers.
- e) The Ministry of Agriculture, Land and Marine Resources through the Land and Water Development Division, is implementing programmes to improve and develop agricultural access roads in cocoa growing regions.
- f) The Ministry of Agriculture, Land and Marine Resources in collaboration with the University of the West Indies (UWI) is conducting an investigative study on Heavy Metals and Ochratoxin A contamination in local cocoa to minimize levels in beans which are exported or used locally. These studies will enhance the development of the Hazard Analysis and Critical Control Point (HACCP) based systems for the local cocoa industry; and
- g) Finally, the Ministry is currently registering and seeking **plant breeders' rights** with the Ministry of Legal Affairs for eleven (11) new Trinidad Selected Hybrids (TSH) cocoa varieties. Discussions are also ongoing on the option to brand or patent cocoa from different growing regions of Trinidad and Tobago.

With respect to marketing, all cocoa produced in Trinidad and Tobago is marketed by the Cocoa and Coffee Industry Board (CCIB) of Trinidad and Tobago using two different systems. These are -

- (i) Cocoa can be sold by farmers as either wet or dried beans. Fermentary operators and buying agents, licensed by the Cocoa and Coffee Industry Board (CCIB) purchase these beans from farmers which is then transferred to the Cocoa and Coffee Marketing Co-operative Society Limited at Frederick Settlement, Caroni. The Co-operative prepares all the cocoa on behalf of the CCIB. The Board pays the agents and Co-operative a fee on a per kilogram basis for processing and handling farmers' cocoa. Farmers receive an interim price of twelve dollars per kilogram (TT \$12.00 per kg) from the buying agents and a final cess price of six dollars per kilogram (TT\$6.00 per kg) from the CCIB, giving a total of eighteen dollars per kilogram (TT\$18.00 per kg) for dry cocoa.
- (ii) At present there are four (4) large farmers licensed by the CCIB to privately export cocoa produced on their own farms. These farmers secure their own markets and prices. However, the CCIB checks and verifies the quality of the beans to ensure that they are of the required standard prior to export by the farmers.

The CCIB interfaces directly with foreign brokers and chocolatiers to arrange for sales in terms of volumes and prices. At present, prices obtained range between US \$4,000 to US \$5,000 per metric ton. Trinidad and Tobago's cocoa is being used by many elite chocolate houses such as Scharffen Berger and Guittard (USA), Lotte (Japan), Valhrona (France), Amedei (Italy), Belcolade (Belgium) and Rausch (Germany).

A small volume of local cocoa is purchased by approximately seven (7) local processors to produce a range of value added products, including **chocolate, cocoa butter and chocolate (candy)**.

The following question was asked by Sen. Lyndira Oudit:

**Motor Vehicles - Ministry of Agriculture, Land and Marine Resources
(Details of)**

132. With respect to motor vehicles under the control of the hon. Ministry of Agriculture, Land and Marine Resources, could the Minister provide the Senate with:

- (i) a list of all motor vehicles on its register; and
- (ii) the purposes for which the vehicles are assigned?

The following reply was circulated to Members of the Senate:

The Minister of Agriculture, Land and Marine Resources (Sen. The Hon. Arnold Piggott): A listing of vehicles under the Ministry of Agriculture, Land and Marine Resources as at May 31, 2009 and the purposes to which the vehicles are assigned is attached.

**MINISTRY OF AGRICULTURE, LAND AND MARINE RESOURCES
VEHICLES LISTING
PROVIDE SUPPORT FOR HEAD OFFICE - EXECUTIVE OFFICES**

VEHICLE REG NO.			
1.	PCC 9789	4.	PBT 5423
2.	PCF 6238	5.	PBT 4112
3.	PCE 5390	6.	PBX 7457
GENERAL ADMINISTRATION To Provide Support on a Rational Basis to Departments within General Administration (Human Resource, Finance and Accounts, Property management, Communication/Media, Central Administration, Agricultural Planning Division)			
VEHICLE REG NO.			
7.	PBE 6097	17.	TCK 4644
8.	PCJ 8559	18.	TBJ 9960
9.	PCJ 8461	19.	TBJ 9959
10.	PBT 6885	20.	PBW 8461

VEHICLE REG NO.			
11.	PCJ 9676	21.	PBO 7183
12.	PBP 5607	22.	PBE 6099
13.	TBX 7583	23.	PBE 6096
14.	TBX 213	24.	PBG 5304
15.	PBB 4187	25.	TBP 1012
16.	PBO 4734		

**ANIMAL PRODUCTION AND HEALTH DIVISION
TO PROVIDE TRANSPORTATION SERVICES SUPPORT TO
OFFICES OF THE DIRECTOR AND CHIEF VETERINARY OFFICER**

VEHICLE NO			
1.	PBL 8123	14.	TBX 9491
2.	PBX 992	15.	TAY 2484
3.	TBS 7459	16.	TBT 6528
4.	TBJ 6182	17.	TCA 5883
5.	TCB 9919	18.	TBS 7174
6.	TBG 3006	19.	TBS 7175
7.	TBP 7448	20.	TCH 4592
8.	TBS 7460	21.	TCH 4591
9.	PBX 993	22.	TCF 604
10.	TBJ 6181	23.	TCF 6295
11.	TCB 9918	24.	TCB 9917
12.	PBA 2674	25.	TBL 7146
13.	TBP 1712		

**TO PROVIDE TRANSPORTION SUPPORT TO
SURVEY AND MAPPING DIVISION**

VEHICLE REG NO.			
1	PBL 6927	14	PCB 7197
2	PBL 6930	15	TCE 1977
3	PBL 1386	16	PCF 934
4	PBH 3414	17	PCF 935
5	TBA 3095	18	PCL 8166
6	TBA 3096	19	PAB 6900
7	TAZ 7443	20	PAB 6899
8	TAZ 3004	21	PAJ 3820
9	PAZ 6346	22	PAK 8706
10	PAX 4218	23	PAK 8547
11	PBT 8722	24	PAG 185
12	PBY 5269	25	PAG 184

VEHICLE REG NO.			
13	PCA 8740	26	PAG 183

**TO PROVIDE TRANSPORTATION SUPPORT TO
LAND MANAGEMENT DIVISION**

VEHICLE REG NO.			
1	PBL 6928	5	TBX 6671
2	PBZ 1362	6	PCF 936
3	PCB 7547	7	PBT 8721
4	PCB 3302	8	PBE 6098

**TO PROVIDE TRANSPORTATION SERVICES TO
AGRICULTURAL SERVICES DIVISION**

VEHICLE REG NO.			
1	PBX 7584	8	TBX 5355
2	PCB 3306	9	TCB 4146
3	TBK 8382	10	TBS 9193
4	TBS 4843	11	TBS 87
5	TCB 2790	12	TCF 4436
6	TCB 2814	13	TCH 6539
7	TCB 2769	14	TCH 4773

**TO PROVIDE TRANSPORTATION SERVICES TO
LAND AND WATER DEVELOPMENT DIVISION**

VEHICLE REG NO.			
1	PCD 1629	13	TAE 7256
2	TCD 1630	14	TAH 1198
3	TCD 1646	15	TAH 1203
4	TBW 6092	16	TAA 8182
5	TBS 133	17	TAN 3641
6	TBZ 4323	18	TCA 4160
7	PBZ 4346	19	TAD 5630
8	PBW 8460	20	TZ 7856
9	PBW 6091	21	PAL 3092
10	TBC 8119	22	TAE 7257
11	PBC 8120	23	TAZ 8455
12	TBP 9762	24	TAZ 8456

REGIONAL ADMINISTRATION NORTH DIVISION

VEHICLE REG NO.			
1	TBN 7589	2	PBU 1968

**1. ENGINEERING DEPARTMENT UNDER THE PORTFOLIO OF
REGIONAL ADMINISTRATION NORTH**

VEHICLE REG NO.			
3	TCC 3697	14	TBH 9955
4	TCF 3791	15	PAO 982
5	TBX 761	16	TBS 3908
6	TCC 1246	17	TAG 9381
7	TBX 4078	18	TAM 9925
8	TBJ 9509	19	TAH 3855
9	TCC 1247	20	TCB 5774
10	PAE 2723	21	PAG 8554
11	PAL 3090	22	TAK 1627
12	TAD 7574	23	PAJ 3822
13	TAH 6833	24	TAZ 2559

2. BEE ABATEMENT UNITS

26	TBT 9955	31	DXD4X7489
27	TBT 8734	32	D6D4X1376
28	307B CAT EXCAVATOR	33	TCL 602
29	D8K77V166646	34	TCL 603
30	D6D4X8902		

3. LANDS SECTION

35	TCE 4029		
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4. ST. ANDREWS / ST. DAVID COUNTY OFFICE

36	TBS 57	
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5. ST. GEORGE EAST COUNTY OFFICE

37	TBX 7612	
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6. ST. GEORGE WEST COUNTY OFFICE

38	TBX 8734	39	TCH 4740
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**TO PROVIDE TRANSPORTATION SERVICES TO
HORTICULTURAL SERVICES DIVISION**

VEHICLE REG NO.			
1	PBU 3599	11	TCL 3795
2	PAY 3944	12	TBY 2123
3	PCC 7507	13	TAG 994
4	PBX 5385	14	TAF 8907
5	PAG 182	15	TCC 8852
6	TBJ 4748	16	TW 3690
7	TAH 9714	17	TAE 2439
8	TBZ 610	18	TE 8610
9	TBR 412	19	PN 8141
10	TCK 8983	20	PW 3692

**TO PROVIDE TRANSPORTION SERVICES TO
REGIONAL ADMINISTRATION SOUTH DIVISION**

VEHICLE REG NO.			
1	PBP 2212	18	TBN 663
2	PCB 652	19	TBN 717
3	TBJ 9508	20	TBM 6285

VEHICLE REG NO.			
4	TCK 2462	21	TCB 7094
5	TBT 1258	22	TCD 7186
6	PCK 6882	23	TBT 1257
7	TBL 1726	24	TCB 4886
8	TR 5120	25	TBK 1421
9	TZ 8936	26	TCE 8985
10	TBT 1256	27	JCB 807B
11	TBO 5473	28	CAT 307B
12	TBT 5881	29	TAN 3640
13	TAL 5141	30	TAD 7575
14	TAX 4122	31	PAK 7027
15	TCC 8850	32	PAL3091
16	TAY 2736	33	TAB 7677
17	TBP 7449	34	PCH 2619
		35	Cat Motor Grader 1979 at Centeno Non functional

**TO PROVIDE TRANSPORTATION SERVICES TO
EXTENSION, TRAINING & INFORMATION SERVICES (ETIS) DIVISION**

VEHICLE REG NO.			
1	PBJ 9816	3	TBT 1013
2	TBT 7326	4	PCA 5072

FISHERIES DIVISION

VEHICLE REG NO.			
1	TBY 8660	7	TBX 2521
2	TBL6433	8	TCA 6793
3	TBM4644	9	PBY 8653
4	TCE7235	10	TBL 6432
5	TBJ 3710	11	TBY 3163
6	TCL 1139		

FORESTRY DIVISION

VEHICLE REG NO.			
1	TAY 6473	54	PAY 8849
2	TCB 3202	55	PCB 3286
3	TCB 3201	56	TCB 3203
4	PBG 9298	57	TBT 387
5	PBC 9454	58	PCB 3437
6	TCD 2607	59	TCB 3206
7	PCB 7762	60	TBC 1346
8	PCB 3290	61	TCD 2608
9	TBB 3640	62	TCC 2261
10	PBC 9450	63	PBX 4827
11	TCB 5340	64	PCB 3429
12	PBA 9541	65	PCB 7759
13	PBC 8714	66	PCB 3289
14	PBA 9431	67	TCB 3204

VEHICLE REG NO.			
15	PBA 9228	68	PBL 2256
16	PBA 9404	69	TBX 9141
17	PBC 9451	70	TCB 3880
18	PAF 9046	71	PCB 3287
19	TCC 2265	72	PCB 3292
20	TAT 118	73	TCC 2264
21	TCC 2262	74	TBX 982
22	TAY 6199	75	PCB 3436
23	TCB 3205	76	TCF 4071
24	PCB 7760	77	PCB 3432
25	PCB 3291	78	TCC 2266
26	PCB 3430	79	PBP 9576
27	PCB 3433	80	PBU 3784
28	PCB 3434	81	TBY 9831
29	PAG 8541	82	TCE 4825
30	PCB 3435	83	TM 3102
31	PCF 1089	84	PCH 761
32	PAB 9645	85	PBX 4826
33	TBC 9145	86	PBP 7682
34	TM 3103	87	TCC 2263
35	TCB 5341	88	TBX 9140
36	TCA 1350	89	PAY 3906
37	TCA 1461	90	PU 4534
38	TCB 2906	91	TCE 6782
39	PBP 9577	92	PAG 8542
40	PCB 3285	93	PAG 198
41	PCB 3288	94	PAG 8547

VEHICLE REG NO.			
42	PBT 4009	95	PBX 4825
43	PCB 3431	96	TAG 3392
44	PBA 9430	97	TAG 5074
45	TBG 5512	98	PAG 8537
46	XCA 7005	99	TAN 2088
47	TCD 2606	100	PAG 171
48	PCB 7761	101	PAF 1019
49	PAY 3905	102	PAG 174
50	PBC 9453	103	TAE 8715
51	TCB 5339	104	PBC 9452
52	TAF 3206	105	TBB 3713
53	TAF 1592		

**RESEARCH DIVISION
EL CARMEN ESTABLISHMENT**

VEHICLE REG NO.			
1	PCF 6718	17	TBZ 6800
2	PCC 8677	18	TBS 3869
3.	PBX7036	19	TZ 8305
4	TCB 2501	20	TZ 8306
5	TBX 4094	21	TAH 6095
6	PBS 6138	22	PY 2221
7	TCC 1349	23	PAC 6339
8	TCH 7210	24	TAB 4444
9	TBC 8889	25	PAF 9048
10	PAX 83	26	PAG 8555
11	TAN 3639	27	TAK 6611
12	TCC 1609	28	PAN 6042

VEHICLE REG NO.			
13	TBP 3533	29	TAX 2049
14	TBX 7803	30	TAX 4984
15	TCA 7569	31	PAP 9686
16	PAN 6041		

LA REUNION ESTATE

32	TAF 9047	36	TBX 7802
33	PAK 5493	37	TCE 7993
34	TAZ 2488	38	TCF 759
35	TZ 5966		

ARIPO LIVESTOCK STATION

39	TBS 56	50	TAC 3196
40	TBT 1827	51	TAE 2131
41	PAG 8528	52	TAY 6052
42	TBS 3870	53	PAB 6704
43	TCC 4150	54	TAE 2442
44	TCC 4119	55	PAG 8525
45	TBW 6935	56	PAC 1306
46	TAK 4022	57	TAB 7250
47	TAE 2402	58	TAB 4744
48	TAH 902	59	PAZ 7273
49	PX 1319		

NATIONAL REFORESTATION AND WATERSHED REHABILITATION PROGRAMME

xVEHICLE REG NO.			
1	TCC 6928	8	PBT 8876
2	PBT 3855	9	TBP 9535
3	TBR 1708	10	PBT 3999

VEHICLE REG NO.			
4	PCB 3963	11	TBS 7458
5	PBT 4030	12	PBB 9691
6	PBT 4577	13	TAK 4843
7	TBR 9837		