

*Leave of Absence**Tuesday, February 25, 2014***SENATE***Tuesday, February 25, 2014*

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 Senators The Hon. Dr. Bhoendradatt Tewarie, Kevin Ramnarine and Vasant Bharath who are all out of the country.

SENATORS' APPOINTMENT

Mr. President: Hon. Senators, I have received the following correspondence from His Excellency the President, Anthony Thomas Aquinas Carmona:

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency ANTHONY THOMAS AQUINAS
CARMONA, O.R.T.T., S.C., President and
Commander-in-Chief of the Armed Forces of
the Republic of Trinidad and Tobago.

/s/ Anthony Thomas Aquinas Carmona O.R.T.T. S.C.
President.

TO: ARCHBISHOP BARBARA BURKE

WHEREAS Senator the Honourable Kevin Christian Ramnarine is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS CARMONA, President as aforesaid, in exercise of the power vested in me by section 44(1)(a) and section 44(4)(a) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, BARBARA BURKE, to be temporarily a member of the Senate, with effect from 25th February, 2014 and continuing during the absence from Trinidad and Tobago of the said Senator the Honourable Kevin Christian Ramnarine.

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 20th day of February, 2014.”

Senators' Appointment

Tuesday, February 25, 2014

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency ANTHONY THOMAS AQUINAS
 CARMONA, O.R.T.T., S.C., President and
 Commander-in-Chief of the Armed Forces of
 the Republic of Trinidad and Tobago.

/s/ Anthony Thomas Aquinas Carmona O.R.T.T., S.C.
 President.

TO: MR WAYNE DANIEL STURGE

WHEREAS Senator the Honourable Vasant Vivekanand Bharath is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS CARMONA, President as aforesaid, in exercise of the power vested in me by section 44(1)(a) and section 44(4)(a) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, WAYNE DANIEL STURGE, to be temporarily a member of the Senate, with effect from 25th February, 2014 and continuing during the absence from Trinidad and Tobago of the said Senator Vasant Vivekanand Bharath.

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 20th day of February, 2014.”

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency ANTHONY THOMAS AQUINAS
 CARMONA, O.R.T.T., S.C., President and
 Commander-in-Chief of the Armed Forces of
 the Republic of Trinidad and Tobago.

/s/ Anthony Thomas Aquinas Carmona O.R.T.T. S.C.
 President

TO: MR. NAZEEMOOL MOHAMMED

WHEREAS Senator Dr. the Honourable Bhoendradatt Tewarie is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:

Senators' Appointment

Tuesday, February 25, 2014

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS CARMONA, President as aforesaid, in exercise of the power vested in me by section 44(1)(a) and section 44(4)(a) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, NAZEEMOOL MOHAMMED, to be temporarily a member of the Senate, with effect from 25th February, 2014 and continuing during the absence from Trinidad and Tobago of the said Senator Dr. the Honourable Bhoendradatt Tewarie.

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 21st day of February, 2014."

OATH OF ALLEGIANCE

The following Senators took and subscribed the Oath of Allegiance as required by law: Abp. Barbara Burke, Wayne Daniel Sturge and Nazeemool Mohammed.

NURSES AND MIDWIVES REGISTRATION (AMDT.) BILL, 2014

Bill to amend the Nurses and Midwives Registration Act, Chap. 29:53, brought from the House of Representatives [*The Minister of Health*]; read the first time.

PAPERS LAID

1. Ninety-Eighth Report of the Salaries Review Commission. [*The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh)*]
2. Annual Audited Financial Statements of the National Entrepreneurship Development Company Limited for the financial years ended September 30, 2009 and 2010. [*The Minister of Finance and the Economy (Sen. The Hon. Larry Howai)*]
3. Annual Audited Financial Statements of the Metal Industries Company Limited for the financial year ended September 30, 2009. [*Sen. The Hon. L. Howai*]
4. Annual Audited Financial Statements of the Metal Industries Company Limited for the financial year ended September 30, 2010. [*Sen. The Hon. L. Howai*]
5. Policy Proposal Document on the Heritage and Stabilisation Fund with suggested amendments to the Heritage and Stabilisation Fund Act, 2007. [*Sen. The Hon. L. Howai*]

ANSWERS TO QUESTIONS

The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh): Mr. President, we seek a deferral of question 52 for two weeks because of the absence of the Minister of Works and Infrastructure, but we are in a position to answer question 53 posed by the hon. Senator.

Mr. President: Any indication on the written answers?

Sen. The Hon. G. Singh: Also a deferral for two weeks. They are completed, but being vetted.

Mr. President: Sen. Camille Robinson-Regis.

ORAL ANSWERS TO QUESTIONS

The following question stood on the Order Paper in the name of Sen. Camille Robinson-Regis:

**Road Improvement Fund
(Moneys collected)**

- 52.** Could the hon. Minister of Works and Infrastructure inform this Senate on:
- (i) the amount of moneys collected under the Road Improvement Fund for the period July 2010 to present; and
 - (ii) the use that has been made by the Ministry of the said funds?

Question, by leave, deferred.

**Construction of the New Siparia Market
(Details of)**

- 53. Sen. Camille Robinson-Regis** asked the hon. Minister of Local Government:

With respect to the construction of the new Siparia market undertaken by the Siparia Regional Corporation, would the Minister:

- a) indicate the process that was adopted for the issue of the contract to rebuild the said market;
- b) describe the facility as now exists, demonstrating its components, features and access for the disabled community;
- c) indicate who was the Project Manager and indicate his/her training, qualification and experience for this undertaking;
- d) provide the names of the persons who comprised the evaluation team to evaluate the bid for this contract; when did this team finalize their evaluation; and what was the “builder’s estimate” for this contract and what was the Corporation’s estimate of this builder’s proposal and design; and

- c) state the number of vendors that are now or intended to be accommodated in the facility?

Mr. President: Minister of Local Government.

The Minister of Local Government (Sen. The Hon. Marlene Coudray):

Thank you, Mr. President. With respect to the question on the construction of the new Siparia market, the process involved is as follows: Cabinet by Minute No. 440 of February 17, 2011, agreed that the Ministry of Local Government enter into a contract with the Palo Seco Agricultural Enterprises Limited (PSAEL) for the provision of project management services inclusive of structural designs, detailed costing and contract documents for the construction of a market for the Siparia Regional Corporation. The project was tendered by PSAEL in the form of a design/build for the request for proposals. This was considered the best option as it facilitated design and construction thus minimizing the duration of the project.

A tender for the design, construction and the commissioning of the Siparia market facility was prepared and sent to three contractors that were selected and approved by the Board of PSAEL. The companies are TLM Company Limited, Bull Fabricators and Super Industrial Services Limited. All of the contractors responded to the tender with the submission of both technical and financial proposals. These bids were evaluated and SIS was chosen as the preferred contractor.

With respect to part (b) of the question: the Siparia market facility is located on the SS Erin Road on a site area of 47,226 square feet. The new Siparia market comprised of an area of 32,550 square feet was constructed. It is a two-storey structure consisting of 170 vendor stalls and 10 fish and meat stalls on the ground floor. It houses 40 cubic metres of cold storage and an ice machine.

The first floor consists of 10 vending stalls, a conference room which can accommodate 300 persons dining style, a food court and two administrative offices. The site accommodates 15 parking lots and 21 off-loading bays for vendors. A lift provides access for the differently abled and others from the ground floor to the first floor. Public conveniences, inclusive of facilities for the differently abled and others, are available on both floors.

Mr. President, part (c) of the question: the project managers, as indicated, were the Palo Seco Agricultural Enterprises Limited, (PSAEL), for the provision of project management services inclusive of structural designs, detailed costing and contract documents. Under the Companies Act of 1995, PSAEL was made a special-purpose state enterprise in 2006. It is governed by a board of directors selected by the Government of Trinidad and Tobago.

1.45 p.m.

PSAEL engaged Civil Engineering Management and Services Limited (CEMAS) as the consultant for this project. CEMAS was responsible for reviewing the designs prepared by the contractor, for supervising the works on site, quantifying and certifying the works on site as well.

Part (d) of the question: the tenders were evaluated by an evaluation team set up by the management of PSAEL: The team consisted of Dianne Arjoon, management accountant, in the area of finance; Chester Roberts, supervisor, projects, engineering and maintenance; Hugh Aberdeen, project engineer, projects, engineering and maintenance; and Petal Maingot, senior project engineer, projects, engineering and maintenance. In attendance were also Nirmala Maharaj, manager, legal and estate services and Sizwe Jackson, the manager, projects, engineering and maintenance. The evaluation process was completed on July 27, 2011.

The Ministry of Local Government was informed that SIS was the successful bidder in the evaluation process. PSAEL's projected budget submitted to the Ministry of Local Government was \$54.4 million exclusive of contingency management fees and VAT. The estimate submitted by SIS was \$49.1 million exclusive of contingency and value added tax.

Finally, part (e) of the question, the number of vendors that are now or intended to be accommodated in the facility: This facility was intended to accommodate 170 vegetable vendors; 10 meat and fish vendors and 10 haberdashery vendors, and the facility is up to maximum occupation. I thank you, Mr. President. [*Desk thumping*]

Mr. President: Sen. Robinson-Regis.

Sen. Robinson-Regis: Thank you very much, Mr. President, supplemental to the Minister. Madam Minister, would you be able to say how the three contractors who were asked to tender, were chosen?

Sen. The Hon. M. Coudray: Mr. President as indicated, the three contractors were selected by the project managers, PSAEL.

Sen. Robinson-Regis: Supplemental: Were there specific criteria that the project manager used to choose the three—[*Interruption*]

Sen. Maharaj: Is that a new question?

Sen. Robinson-Regis: Yes, it is a supplemental and a supplemental is a new question. [*Interruption*]

Where there specific criteria used by the project manager to choose the three contractors?

Sen. The Hon. M. Coudray: Mr. President, that information has not been provided with respect to the response to the specific questions asked.

Sen. Al-Rawi: Further supplemental, Mr. President. Hon. Minister, the selection of TLM, Bull Fabricators and Super Industrial Services Limited, in the tender for design as described by you, was that done on a special invitation-select basis?

Sen. The Hon. M. Coudray: Mr. President as I indicated, the PSAEL invited these three companies to tender for the design, construction and commissioning of the Siparia Market facility.

Sen. Al-Rawi: Further supplemental, Mr. President. In procuring the instructions to PSAEL to, in fact, conduct themselves as agent in that regard, was the instruction for a select tendering process by invitation?

Sen. The Hon. M. Coudray: Mr. President, I will have to seek the guidance of the Permanent Secretary with whom this matter was dealt with, with PSAEL, so if a new question is posed I shall be able to have the Permanent Secretary provide the information. [*Interruption*] Thank you.

Sen. Al-Rawi: Thank you, hon. Minister, further supplemental. I welcome that information. I would have thought it already there. With respect to the amount of parking facilities identified—that is 15 parking lots—could the hon. Minister explain to us how 170 vendors, 10 meat vendors, cold storage vendors and a conference room of 300 capacity are intended to occupy 15 car parking lots?

Sen. The Hon. M. Coudray: Mr. President, I am not sure that the site—the question was asked, “what is available on site”, in terms of the construction and this is what is available on site with respect to the construction. [*Desk thumping*]

Sen. Al-Rawi: Further supplemental, Mr. President. Is the hon. Minister able to tell us, in the procurement of the tendering process, whether Town and Country Planning approval for this site was given?

Sen. The Hon. M. Coudray: Yes, Mr. President, Town and Country Planning approval was given for this site prior to construction, unlike so many other projects.

Sen. Al-Rawi: Further supplemental, Mr. President. The evaluation team comprising Mrs. Arjoon, et al—the one, two, three, four—the six persons mentioned, that evaluation team came from PSAEL or the Ministry of Local Government, could the hon. Minister say?

Sen. The Hon. M. Coudray: Mr. President, I think it was a mixed team, technical officers from the Ministry of Local Government as well as technical officers from PSAEL.

Sen. Al-Rawi: Further supplemental: Were the Central Tenders Board rules and provisions carried out in respect of this project, adhered to? [*Interruption*]

Sen. The Hon. M. Coudray: Mr. President, in terms of the Central Tenders Board rules, these special purpose companies have been set up in accordance with the Central Tenders Board Act and, as indicated on the document, all processes were carried out by the company in evaluating and awarding the contract. [*Desk thumping*]

Sen. Al-Rawi: Further supplemental: So, hon. Minister, is it that the Central Tenders Board rules were followed or not?

Sen. The Hon. M. Coudray: Mr. President, again as indicated, the document presented to me indicated that all rules and processes were followed in the award of this contract. [*Desk thumping*]

Sen. Al-Rawi: Further supplemental, Mr. President. Was there an invitation for public tender in relation to this contract? [*Interruption*]

Sen. The Hon. M. Coudray: Mr. President, in explaining the process, I said the company invited persons from companies that are registered and those persons are normally prequalified to be invited to tender.

Sen. Al-Rawi: Further supplemental: Is it therefore, hon. Minister, that there was a public invitation or was it special select invitation? You need to choose which one, it cannot be both. [*Interruption*]

Sen. The Hon. M. Coudray: Mr. President, I never even suggested both, and I thought the information presented was very clear. It was a special select list of invitees for this project as happens all the time. [*Desk thumping*]

**FINANCING OF ELECTION CAMPAIGNS
(JOINT SELECT COMMITTEE)**

[Third Day]

Order read for resuming adjourned debate on question [November 26, 2013]:

Be it resolved that Parliament appoint a Joint Select Committee to propose a legislative framework to govern the financing of election campaigns and to submit its report with recommendations to both Houses of Parliament within six months of its appointment. [*Sen. H. Drayton*]

Question again proposed.

Mr. President: Hon. Senators, those who spoke on the last occasions: on Tuesday, November 26, 2013: Sen. Helen Drayton, the mover of the Motion; Sen. The Hon. Dr. Bhoendradatt Tewarie, Sen. Faris Al-Rawi, spoke for 22 minutes and had 23 minutes of original speaking time remaining. [*Interruption*]

Sen. Singh: Nah, that was the previous—[*Interruption*]

Mr. President: On Tuesday, November 26, 2013. On Tuesday, February 04, 2014—[*Interruption*]

Sen. Al-Rawi: I am on the ball. [*Laughter*]

Mr. President:—Sen. Faris Al-Rawi spoke once more and completed the time allotted to him. He was followed by Sen. Dr. Dhanayshar Mahabir, Sen. The Hon. Marlene Coudray, Sen. Anthony Vieira, Sen. David Small.

Senators wishing to contribute to the debate may do so now. Sen. Devant Maharaj. [*Desk thumping*]

The Minister of Food Production (Sen. The Hon. Devant Maharaj): Mr. President, I thank you for the opportunity to contribute on this Motion before us here, this afternoon, and Sen. Faris Al-Rawi is paying keen attention.

The Motion before us—just to refresh our memory:

Whereas conditions conducive to free, fair and transparent elections are essential to preserving Democracy;

And whereas various resources are needed to finance and support free, fair and transparent election campaigns;

And whereas the cost of financing campaigns has increased substantially over decades and sources of campaign finance are not transparent and therefore, a matter of importance to citizens;

Financing of Election Campaigns
[SEN. THE HON. D. MAHARAJ]

Tuesday, February 25, 2014

And whereas citizens need to be satisfied that there is fairness and full disclosure with respect to transactions involving the use of public resources by elected representatives in the process of governance;

Be it resolved that Parliament appoint a Joint Select Committee to propose a legislative framework to govern the financing of election campaigns and to submit its report with recommendations to both Houses of Parliament within six months of its appointment.

I would like to thank and commend Independent Senator Helen Drayton for laying the Motion here before us today, as it is most pertinent and important an issue that we should deal with. I would like, however, to endorse the suggestion by Sen. Faris Al-Rawi that we consider a special select committee rather than a joint select committee for reasons that have already been advanced by the goodly Senator in his contribution. So, without wanting to detain you any further by repeating and rehashing what has already been said I will move on with that endorsement.

The notion of money as it influences the political process is not nor ever could be one that is exclusively associated with contemporary politics. Sen. Bhoewarrie in his contribution carried us figuratively around the world of examples of similar discrepancies in campaign and the need for campaign reform. Because it has been felt in Trinidad, as well as outside, that money drives politics and that graft is often the byproduct of holding political office; rightly or wrongly so.

And that is why I think the contribution of Sen. Drayton is something that she should seriously consider reproducing in her weekly column in the newspaper if she has not done so already—but I cannot recall seeing it in her recent publications—so, we could all benefit—for those who are not tuning into the Parliament channel, even though it is considered the number one channel among local channels—from the contribution of Sen. Drayton.

But we all conclude that the reason we are here today is because elections are expensive things and they vary from country to country, but by and large for those of us who at one point or the other entered into the electoral fray—and that includes some of us on this side of the Bench and some on the other side, none from the Independent for obvious reasons—would appreciate that money is needed to pay staff, buy advertising which tends, if I were to guess, to be a significant chunk of your financing, other media and then election day machinery and paraphernalia. All of these really act as a sponge to soak up whatever money the party or the candidate has to spend or has available at his disposal.

Mr. President, this debate is not new to this Parliament. We have gone down this road on two other occasions. This is the third time, and it is interesting to note, for those who observe these kinds of things, that out of the three occasions the Motion came twice from the Independent Bench and once from the UNC.

2.00 p.m.

In 2006—[*Interruption*]

Sen. Al-Rawi: It was not COP?

Sen. The Hon. D. Maharaj: No, from the UNC. In 2006—October 27, 2006 to be exact—the first Motion came forward by the hon. Ganga Singh, Member for Caroni East, and the person responding from the PNM side was Colm Imbert, Member for Diego Martin North/East. The matter never concluded because I assumed the Parliament ended at that point in time.

Minister Ganga Singh, Member of Parliament, in his contribution, in the winding-up, provided a list, and his contribution is worthy of reading and reading over for this debate because I think he has covered most of the issues that we have spoken about here already because, as I said, these issues are not new and most of it we have heard, and I am sure what is to come would have already been repeated in those two debates. He recommended several proposals, and one of it being put forward by a constitutional reform forum, in that, campaign reform financing should form part of some sort of constitutional reform but should also include mandatory—and I quote directly from the *Hansard* here:

- “1. Mandatory public registration of all financial contributions to parties above TT \$500—TT \$1,000 within one week of receipt.
2. No receipts to be legally permitted within the two final weeks of an election campaign.
3. Significant contributors of more than TT \$2,500—TT \$5,000 should be excluded from receiving any state-related contract and/or serving in any ministerial or other position that has the power to award contracts.
4. Only local citizens residing abroad should make contributions, but with the same disclosure requirements for nationally based citizens.
5. The State should provide party financing.
6. To avoid abuse, such party funds should be audited independently.
7. The number of votes the party amassed in the previous election should influence the size of state funds.”

Those are some of the recommendations that the then Member of Parliament, Singh, made in that very sterling contribution in October 2007.

Following that, we had the contribution of Independent Senator Ramesh Deosaran, where again he called—like Senator Drayton—for a joint select committee to consider the establishment of a legislative—I think it is virtually identical with slight changes to this Motion before us. And in that particular debate we had a more indepth analysis of the subject with contributions not only by the mover of the Motion, Sen. Deosaran, but also by Government Senator Laurel Lezama, Sen. Wade Mark, Mrs. Corinne Baptiste-Mc Knight, Dr. Carson Charles, Faizal Rahaman, Subhas Ramkhelawan contributed at that session, Government Senator Emily Dick-Forde and so on. So again, these issues were ventilated on that occasion, before the Senate and before the House.

It is interesting to note, Mr. President, at no point has there ever been a call inside the Chamber or outside the Chamber by the PNM for campaign reform. And they have an interest in that—not advancing the case of campaign reform. When Sen. Singh laid that initial Motion in 2006, the PNM was part of the Government; Camille Robinson-Regis, now Senator, was a member of the Government.

Sen. Robinson-Regis: Part of the Government?

Sen. The Hon. D. Maharaj: Part of the Government. She was the Government, and she did not advance, nor those that contained and formed the administration of the day advance the case, even though they lauded it in their contribution that campaign reform was necessary, never advanced it beyond the Motion. Never. It remained stillborn in the Chamber at the time, and in 2009 it also remained stillborn.

We are forced as a result, today, to be reminded by our President, President Anthony Carmona in his address to this Parliament recently describing campaign reform. I want to take an excerpt from his contribution:

“...veritable juggernaut that results in the financiers arrogating political power unto themselves and thereby undermining the system of governance”.

The President of the day, coming back to remind us of this Motion that was laid in the House over six years ago, by Sen. Singh, the PNM refusing to deal with it, election after election. They were in charge at the time; they had the ability to bring forward a legislative agenda that they often cry out for. Their legislative agenda was bereft of campaign reform ideas—[*Desk thumping*] Not an iota, not an iota of campaign reform measures taken place by the PNM.

The Trinidad Chamber of Industry and Commerce, Mr. President, had to come recently with a statement also on the need for campaign reform. And in their statement they raised some very important and critical points which we consider, such as the need—and what they recognized as: “unchecked and unaccountable political spending”—which can—“pave the way for grand corruption in politics”. They have identified that “reform will go a long way in moving campaigning away from monetary giveaways and influences, and allow, instead, for a level financial playing field...to compete on issues”—and not on who has the most amount of money.

They also pointed out that:

“A lack of proper campaign financing reform and regulation, sensitive to the current needs of our political system, does not create an environment of fairness for all parties contesting the elections”—or—“allow for transparency and accountability with respect to the disclosure of the expenditure of public and corporate funds, or in the subsequent award of contracts.”

This is the Chamber of Industry and Commerce saying this.

They pointed out to the “devastating potential” that this has “to erode the ideals of representative governance and enable the unsavory influence of special interest money,” or as my colleague, Sen. Dhanayshar Mahabir, spoke about the factions of Hamilton rearing its head in this debate.

Mr. President, the cries and the muttering from the other side ask what are we doing. We have been in charge. I want to point them to our manifesto promise; our manifesto promise is clearly articulated.

Sen. Al-Rawi: Promised pension at 60.

Sen. The Hon. D. Maharaj: Declaration of Principles. We put this in our manifesto. They dare not put campaign reform financing in their manifesto, [*Desk thumping*] because they have to account, they have to account to their handlers who will not want them to be exposed. What does it say in our manifesto? And this could be got easily from the Parliament Library, the National Library—*[Interruption]*

Sen. Al-Rawi: Tell us what you did.

Sen. The Hon. D. Maharaj: I quote:

“Promote legislation for the registration and funding of political parties subject to review of an independent body.”

We put this in our manifesto. Mr. President, have we not just printed it and left it to gather dust like so many of their proposals?

Hon. Senators: Yes.

Sen. The Hon. D. Maharaj: Mr. President, they are sadly, woefully ignorant of many things around them including this. [*Desk thumping*] The report on the National Consultation on Constitutional Reform speaks to this issue, and this document was published, circulated for every single national of Trinidad and Tobago to read and read on how we are delivering on these. I ask them to turn their attention to paragraphs 19 and 20. If you do not have the paper I have it here available for you. Paragraph 19:

“The issue of campaign finance reform was raised. It was seen as a constitutional matter to the extent that the political process can be governed by the way in which all political parties obtain their funding. More than worthy of attention is the need for greater transparency in the process, a transparency that goes well beyond the existing rules for individual candidates. These rules were designed for a different era.”

This is what we are saying in our constitutional document that is out for the criticism, contribution and comments of the citizens of Trinidad and Tobago as we move forward for constitutional reform in which campaign reform is part of. [*Desk thumping*]

Paragraph 20 spoke to:

“The solutions offered ranged from the banning of all private funding for political parties...”

These are the recommendations coming out from the citizenry that form part of the document.

“...and substitution by taxpayer-funded campaigns, to full disclosure of all contributions made to political parties as a requirement of the law. In this instance, the law in question would be the Representation of the People Act.”

So, Mr. President, Sen. Tewarie in his contribution enumerated the number of consultations and some of the venues that we have gone to to deal with this issue of constitutional reform of which again I repeat, campaign financing reform is part of.

The PNM, their historical record speaks very differently to their machinations and mutterings in the Senate. It speaks differently, because it speaks to a PNM that sees no merit in issues relating to campaign financing in the Constitution. In fact, in their offering of a constitutional document under the Manning-led administration, of which the present Leader of the Opposition was a very strong member and

prominent member, they were silent about it; they were silent about campaign finance reform. In fact, in the 2006 debate, Mr. President, I was shocked that while the Member of Parliament, Mr. Singh, was on his feet the then Prime Minister made an interjection and in it he said, and I quote directly from the *Hansard*:

“...a matter such as legislation to govern the conduct of elections in the country, or campaign financing, is a matter that does not properly find its way in a constitution but is best dealt with by ordinary legislation? That certainly would be our view.”

What they are saying is they want it as a regular piece of legislation that they could change at a “vaps”, when it suits them. And, in that line-up of the PNM Government at the time, we had the now Leader of the Opposition Dr. Keith Christopher Rowley, we had at the time now Sen. Camille Robinson-Regis subscribing that campaign financing reform should not be part of any constitutional discussion, any constitutional arrangement. [*Desk thumping*] It should be a simple piece of legislation that they could get up with a simple majority if they sleep bad the night before and change it.

Sen. Al-Rawi: “Simple legislation doh mean simple majority, boy.”

Sen. The Hon. D. Maharaj: Mr. President, under this People’s Partnership Government we have conducted five free and fair elections since we came into office.

Sen. Robinson-Regis: And lost four.

Hon. Member: Lose all.

Sen. The Hon. D. Maharaj: Whether we win or lost, it is irrelevant to the fact that we had them. [*Desk thumping*] They on the other side refused, and I want to remind those on the other side who participated with their silence of the undemocratic march of the PNM prior to 2010, when the Patrick Manning administration refused this country on four occasions, Mr. President, four occasions, the right to go to the polls to select local government officials. [*Desk thumping*] That undemocratic blot on their political character can never be removed. [*Desk thumping*] We went to the polls in 2010, we went to the polls with the THA—

Sen. Robinson-Regis: And lost.

Sen. The Hon. D. Maharaj: We went to Chaguanas West by-election.

Sen. Robinson-Regis: And lost.

Sen. The Hon. D. Maharaj: We went to St. Joseph.

Hon. Senators: And lost.

Hon. Senator: Wind ball cricket.

Sen. The Hon. D. Maharaj: The fact is we are committed to democracy.

Hon. Senator: Local government. [*Desk thumping*]

Sen. The Hon. D. Maharaj: We are committed to trans—[*Desk thumping*] they on the other side believe and subscribe to the philosophy that the end justifies the means. They do not care how they get in office once they are in office. We understand on this side however, that free and fair and transparent elections are crucial to the democratic process and we have made every effort to ensure that this occurs.

The People's Partnership—we introduced for the first time in the history of Trinidad and Tobago—[*Interruption*]

Sen. Al-Rawi: We are going to register that.

Sen. The Hon. D. Maharaj:—the issue of proportional representation with regard to the selection of aldermen. [*Desk thumping*]

Sen. Lambert: Well said.

Sen. The Hon. D. Maharaj: And this decision to implement proportional representation was not influenced by if we could get an extra alderman or not. Of course we would know that in particular seats and so on, that given the historical antecedence of the election that there would be areas where the PNM would have picked up—the thing is the right of every voter that cast his vote would have an opportunity to have his representative in the Chamber. [*Crosstalk*]

Mr. President: Senators, could we listen in silence to Sen. Devant Maharaj. The din is getting too difficult, I suspect, for the reporters to record it properly. Thank you.

Sen. The Hon. D. Maharaj: Thank you very much, Mr. President. I am sure my colleagues are just urging me on with their enthusiasm.

Sen. Lambert: They are still partying.

Sen. The Hon. D. Maharaj: Yeah, Mr. President, in a letter to the editor following the last local government election, it is instructive some of the sentiments coming out of the general population and I quote from the letter of the *Trinidad Guardian*, October 24, 2013: “Kamla gives PNM lesson in democracy”, by Mr. A. Charles.

The author writes:

“Say what you want about the prime minister and her People’s Partnership government, the PNM should be thankful to her for having the guts and the sense of doing the right thing to call the local government elections...when it was constitutionally due. [*Desk thumping*] Compare this with the PNM which failed to call the local government election in 2006 and, like undemocratic cowards, postponed the elections for four years under one pretence or another, the main one being local government reform.”

So they pretended they wanted to have local government reform as an excuse not to have any election.

2.15 p.m.

Sen. Robinson-Regis: Who said that?

Sen. The Hon. D. Maharaj: This is A. Charles, *Trinidad Guardian*, October 24, 2013. Ask the *Guardian* how they “does” choose the name.

Within the PNM character it oozes from, it seems, everything undemocratic, it appears. Only now they are looking to contemplate one-man-one-vote. We, in the UNC, are doing that for the last 25 years. [*Desk thumping*] “We don’t afraid de people. We don’t afraid de people on this side; we willing to stand up to be scrutinized.” [*Crosstalk*]

Mr. President, I want to move along. I think it is imperative, it is important, that we examine what is exactly involved in the financing of election campaigns. Sen. Singh quoted from this article but I think it bears repeating in this debate as it is a fresh debate, a fresh Parliament. I am speaking of none other than Prof. Selwyn Ryan in his OAS article entitled: “Political Party and Campaign Financing in Trinidad and Tobago”—which, I am sure Sen. Drayton would have read as well—which examines the evolution of political campaigns in the country. And I quote from him:

“Today, political campaigns in Trinidad and Tobago are capital-intensive and market oriented. Funds are needed to pay media elites, PR experts, spin doctors, and pollsters, many of whom are imported from the United States and the United Kingdom at high costs. Campaigning is largely an ‘air war’, fought via the media, especially newspapers, radio and television. While ‘ground wars’ are still fought by a political infantry, that infantry is now largely a mercenary rather than a volunteer army. Many underclass voters also expect to be, and are, paid to cast their ballots. Many will not turn out to meetings or

Financing of Election Campaigns
[SEN. THE HON. D. MAHARAJ]

Tuesday, February 25, 2014

vote unless they are given a T-shirt. Party officials estimate that candidates each spend TT \$100,000 instead of the TT \$50,000 that is allowed”—by the Representation of the People Act—“and that parties together spend approximately TT \$25 million...”

The issue of mercenaries in the politics I will get to later. But where does this money come from that finances the campaign?

Sen. Al-Rawi: The SIS.

Sen. The Hon. D. Maharaj: That is part of the—“why yuh doh talk about Andre Monteil?” We will talk about him—Andre Monteil.

Some of these come from social fundraisers, cash transfers, cheque payment, state or state-owned corporations and “community leaders” that provide muscle as well as money. We all remember that infamous community lunch with community leaders by the then Prime Minister. What are the motivations for these donors? Why do people give money to political parties? Why do they feel the need to invest money in a political party X or Y when they are campaigning—a candidate X or Y?

Trevor Sudama, in 2010, following the general election, wrote a piece, July 02, 2010 where he said, and I quote:

“Of paramount import, however, is the motivation of donors of large sums and their expectations of the recipient political actors and the mindset of the latter.”

Some of these donors, Mr. President, believe that the State, by way of funding, is a bounty to be captured by political entrepreneurs and the spoils, if they are victorious, to be distributed by those who they perceive they have contributed towards its capture. Others may contribute in an effort that if the party they support wins the election, they would be able to exercise some degree of influence that they would be able to benefit themselves or their associates, either in an indirect or direct way.

Others may just donate and hope that if they want to speak to a Minister or have a hearing on a particular issue, they would be afforded that, whereas if they do not support that party they know it might be unlikely to have an easy hearing. And the smallest out of the set may actually be those who are ideologically-driven and figure, we believe in the ideals of this party, and they want nothing; it is totally altruistic, and they donate for donating sake, really.

As I said, a lot of what has been said before, without wanting to rehash it, was considered already by this Chamber. Today, however, as I brought life into the Opposition Bench with their comments and responses, [*Desk thumping*] I want to continue in that trend by giving some examples of how those opposed to us—the PNM from its inception, from its birth—has been hostile to the notion of free and transparent election. They believe that all of us should be measured by the same low bar in which they measure themselves. I draw specific reference to the manner and way in which the State apparatus has been abused during the campaign by the PNM, in particular, in order to advance their political chances at the polls.

I want to start off by the St. Joseph example that was raised by Sen. Al-Rawi, and I quote from his *Hansard (Unrevised Version)* contribution. I sat in awe until I got up and objected, of course, on a point of order—[*Interruption*]

Sen. Al-Rawi: Overruled.

Sen. The Hon. D. Maharaj: Overruled, as it were, but I will deal with it now.

Sen. George: That is right. [*Desk thumping*]

Sen. The Hon. D. Maharaj: Sen. Al-Rawi—and that is why the presiding officer told me—I will deal with it now. He stated:

“the Minister of Food Production, would very well remember that there was an advertisement prepared, and there was newspaper coverage happening in the media, in fact, in the *Newsday* on Monday, November 04, 2013 which dealt with the issue of the coordination and give out supposed relief for flood victims which occurred in the Aranguéz/Bamboo area 2013,”

Somehow, Sen. Al-Rawi listens better than he reads.

Hon. Senator: Oh my.

Sen. The Hon. D. Maharaj: Mr. President, at the point in time when I stood up, I strongly believed that the words ‘supposed relief’ was improper. I still do today. The relief that was given out at that point in time was legitimate relief owed to the farmers, and it was done in a manner consistent with the Ministry of Food Production since this administration came into office.

There is a very detailed procedure in which a farmer has to end up with that final product, the cheque in his hand. It does not happen because an election is around the corner, “yuh know”, as my learned friend would want us to believe. When the inclement weather affected, adversely, the crops of the Aranguéz

Financing of Election Campaigns
[SEN. THE HON. D. MAHARAJ]

Tuesday, February 25, 2014

farmers—but not limited to Aranguez because, unknown to my learned colleague there, farmers from across the corridor benefitted on that day at that venue [*Desk thumping*] from the cheques. So to suggest, either malevolently or innocently, that the Government singled out the Aranguez and St. Joseph farmers and gave them a cheque so as to buy their votes, is being mischievous. Farmers, as far as Maloney, were benefitting from that.

The procedure—and this is what I want. The procedure through which every farmer must undergo to process these claims—for purposes of explaining how difficult it is to arrive at that cheque payment—I would go into. First of all, a reconnaissance survey following heavy rains is done by the district officer/assigned officer/team of officers. Photographs have to be taken of the areas. Food producers must submit claims for crop loss at county offices; a standardized form is completed. This should be done within one week of the floods. Claimants should be given an acknowledgment slip when the claims are made at the office. Food producers' claims are distributed to officers—teams of two—for field investigations. Field investigations are to be completed within one week of receipt of claims by the inspecting team. In situations where the fields are inaccessible during the first week of a flood, appointments would be rescheduled the following week after the water subsides.

Following field visits, work sheets should be completed; calculations checked and verified and doubled-checked; pay sheets prepared and submitted to supervisors; pay sheets forwarded to the regional office for further processing and for forwarding to head office for payments. Claimants who do not qualify must be notified in writing. Cheques collected by the regional office to be distributed thereafter. This, of course, hinges on the Minister of Finance and the Economy giving the Ministry of Food Production a timely release of funds available. So by the time this whole process goes through, months are involved.

Sen. Avinash Singh, a self-confessed farmer here in the Senate, [*Laughter and desk thumping*] will tell you difficulties of getting these cheques, and the difficulty the officers—who go through the verification and re-verification process—give the farmers, to ensure that their claims are satisfied in a timely way. He has come to me in the past, expressing his anguish of cheques not being processed in time because of the process being rigorous as it is.

The flood relief and compensation is a budget item. It forms part of the national budget of Trinidad and Tobago. So it is there. The processing of these claims, Mr. President, I know it finds its way as an alien item in the ear of Sen. Faris Al-Rawi and Sen. Camille Robinson-Regis because under their

administration—under the PNM—farmers had to wait two and three years for flood relief. [*Desk thumping*] So they are in awe that the People’s Partnership could deliver flood relief cheques within six months.

Sen. Ramlogan SC: Yeah, yeah, yeah. [*Desk thumping*]

Sen. The Hon. D. Maharaj: They are shocked; they are amazed and we have the empirical data to back it up. And for the information of those on the other side, prior to that St. Joseph function of handing out those cheques to farmers as far as Maloney and so on, we had a similar exercise in Sangre Grande, in which farmers from Bamboo came to collect as well. And you know what, Mr. President? Within the next month or two we will have a next exercise like that in Penal, as farmers for the first time are getting their cheques so quickly.

Mr. President, also in this concept of campaign financing reform, one of the reasons that there is, I guess, a disquiet among those who would likely be donors, is that you do not want to identify yourself openly with a political party because should they not be successful at the polls, they would be victimized. They would be denied opportunities that they felt that had the playing field been level they would have a good chance as any.

That has been the history of Trinidad and Tobago under the PNM, victimization and discrimination, the order of the day. [*Desk thumping*] So that is why, on the last occasion we were here, I was very disturbed with the contribution of Sen. Avinash Singh when he told me, and he told the Senate, that—and I quote from his *Hansard (Unrevised)* here:

“...prior to the July by-election...my family...sold hundreds of thousands of pounds of agricultural commodities to NAMDEVCO. Can you imagine, after these statements were made in the public domain,...my family’s operation has not received one (single) phone call from NAMDEVCO to supply anymore produce?”

That concerned me deeply, Mr. President, as a person who the PNM discrimination visited on a regular occasion, I—[*Laughter and desk thumping*]

Sen. Ramlogan SC: And you have the court judgment to prove it.

Sen. The Hon. D. Maharaj: And I have the judgments to back it up, if Sen. Al-Rawi wants to read them.

Sen. Al-Rawi: Sure, sure.

Sen. The Hon. D. Maharaj: But that did not sit nicely with me at all. We did not tell the people that we want to exchange one form of discrimination for another, so I immediately called in NAMDECO. I know, prior to this statement that was made, Sen. Singh—prior to being a Senator—and NAMDEVCO officials had

Financing of Election Campaigns
[SEN. THE HON. D. MAHARAJ]

Tuesday, February 25, 2014

meetings, the last one being at the Sugarcane Feed Centre in Longdenville, in order to discuss how we could assist the then farmer Singh to sell his sweet potatoes [*Laughter*] because I was disturbed that he had to engage in a type of campaigning, giving away sweet potatoes, and I guess that he gave out more sweet potatoes than he got votes at the time. So perhaps if everyone he gave away a sweet potato to vote, “you mighta” win the election. [*Laughter*]

2.30 p.m.

I asked NAMDEVCO to provide me with the hard statistical data, that Sen. Singh’s family were being denied hundreds of thousands of pounds of sweet potatoes.

Sen. G. Singh: Sale.

Sen. Ramlogan SC: Sale, sale.

Sen. The Hon. D. Maharaj: Of sale. In fact, we have here from the documentation provided for me, pulled from their accounting department from October 2009 to February 24, 2014, NAMDEVCO would have purchased approximately 26,536 pounds of sweet potato from Sen. Avinash Singh. [*Desk thumping*]

Sen. Ramlogan SC: “If PNM was in power, they ain’t buy a aloo from yuh.”

Sen. The Hon. D. Maharaj: Twenty-six thousand pounds. Mr. President, this is a far cry from the hundreds of thousands of pounds that he was selling here to us last week. I remember there was a former politician standing in front of an audience of 10 and he was saying hundreds of thousands of pounds, when NAMDEVCO pulled the record, 26,000 pounds. Am I to believe the goodly Senator next time he rises?

Sen. Robinson-Regis: Of course.

Sen. The Hon. D. Maharaj: I doubt.

Mr. President, I enquired: why did they deny this 26,000 pounds of sweet potatoes again, over a five-year period? I was told that the major customer for the sweet potato was the prisons, and this morning I had the cause to call the Minister of Justice to ask: why it is the prisons stop buying sweet potato from Sen. Avinash Singh? And I have asked them to investigate that burning issue. I suspect that they are growing their own now. I urge the—I have the hard copy of the statistical figures here from the sale.

So, I am promised by my colleague, Sen. Emmanuel George, to look into that matter of the sweet potato fiasco and we shall provide as much support as possible.

Sen. A. Singh: [*Inaudible*] 36,536 pounds tomorrow.

Sen. The Hon. D. Maharaj: Well, you could bring that tomorrow.

Mr. President, that was last week, but I want to give us a little bit of historical data of those who want to pontificate on the other side now and be self-righteous that they are now the paragons of virtue and the vanguard for campaign finance reform. [*Desk thumping*]

Mr. President, in 2001, there was a situation in this country where there was an electoral tie, 18:18. The Parliament was hung. No Parliament because you could not elect a Speaker at the time, and that gave rise to the enabling environment for the PNM to engage in surreptitious activities with state resources, where the issue of buying votes, voter coercion, patronage, nepotism, the use of community leaders and, in fact, just overall “bobol” was rampant. [*Desk thumping*] In fact, while all that was happening outside the Parliament, UNC parliamentarians were being starved of their salaries. They had to go to the Privy Council in order to get their salaries.

Instead of the then Prime Minister taking the moral high ground and assuring the population that, yes, another general election is imminent and measures would be implemented to ensure that this is arrived at a sooner than later period, what you had was the contentious appointments of close relatives and party hacks who were mandated from their obvious action that their only objective in office was to win the next election because that was their modus operandi. The end justified the means. What you had was the abuse of the apparatus of state, and this has to be figured in campaign reform when it comes to the incumbent, because in that 18:18 tie—within one week every state board was fired. Every state board. At that point in time the PNM was not talking about, well, they had competent people there and we should keep them and consider continuity. No, no, everybody fired, “toute baghai” in this country and a new board ushered in every state enterprise, and what you had was the use and abuse of the budget. I do not even want to go into that.

The Parliament, today, has no record of the budget spent during that 18:18 period. No accountability at all. It stands as an unanswered question in the Parliament. State boards, state funding—you had the establishment of NEDCO in this country at that point in time, where they were set up primarily in the marginal

constituencies. I remember one of the first ones being set up in Tunapuna, another one in Mayaro and, in fact, in the election campaign loans were given out to buy fridge, stove. The election in Mayaro, I think, it could be essentially said was bought and paid for by NEDCO at the time.

The Jamaat al Muslimeen suddenly became very friendly with the PNM. The then political leader of the PNM said and I quote from him:

“He was prepared to accept support from all quarters.”

All quarters he was prepared to accept support from. And, in fact, the PNM embraced people with checkered past, criminal records in order to advance their sole objective of winning political office. It was hired guns and mercenaries that I spoke about before, happening during this 18:18 tie. I remember the election in Tunapuna at that point in time, where the Jamaat al Muslimeen—[*Interruption*]

Sen. Al-Rawi: Mr. President, Standing Order 35(5). Please, hired guns and mercenaries at the PNM?

Mr. President: I thought that the Senator was referring to the question of party financing and how we got here, and making reference to the fact that he considered that people of ill repute had been engaged.

Sen. Al-Rawi: Mr. President, sorry. My position of objection on 35(5) was in his allegation open and naked as it was that there was a connection between the PNM and that. I mean, he is free to speak, but that borders in my humble view for your consideration to be offensive to 35(5). [*Crosstalk*]

Mr. President: Senator?

Sen. Al-Rawi: Imputing improper motives, Mr. President.

Mr. President: What I have said in the past is that no Member of the Senate must refer to another side or any Member of that side as a group; referring to improper motives relative to them, and that still remains. Certainly, in terms of referring to a political party we have not in the past, as opposed to Members within the Senate, drew the line relative to a political party and certainly many comments have gone in the past. [*Desk thumping*] Many comments had been permitted in the past relative to political parties. That said, I would say to Sen. Devant Maharaj that he is drawing close to the line where he might reach to the point of imputing improper motives and that he should desist if he crosses that line, but I did not think that he had crossed it so far. [*Desk thumping*]

Sen. The Hon. D. Maharaj: Mr. President, when you overrule me I take it and go, you know. My friends on the other side seem to be resisting. I want to remind them, Prof. Ryan in his Old Years' article spoke about political party and campaign finance, and he spoke about the voluntary army and the involuntary army and the mercenaries. And the mercenaries he is speaking here about is what I have elaborated upon. The wastage of state funds on the part of the incumbent as part of their electoral machinery which forms a separate component from the official party financing. It may apply to other parties, but it seems to have upset my friends across there.

I could never forget when the then Member of Parliament for Tunapuna almost had the Mayor of Chaguanas in a stranglehold in Tunapuna [*Laughter and desk thumping*] and it appears that they want to have a stranglehold on me in this debate. [*Desk thumping*] Mr. President, it was in this heady days of wastage of state funds, no accountability of the budget, we had the birthing of CEPEP. CEPEP was formed as an election tool of the PNM at the time. A contractor could have made up to \$52,000 a month in 2002. During the election of 2002 and 2003, local election voters were wooed with—[*Interruption*]

Mr. President: Sen. Maharaj, not meaning to put a stranglehold on you, but the speaking time of Sen. Maharaj has expired.

Motion made: That the hon. Senator's speaking time be extended by 15 minutes. [*Hon. G. Singh*]

Question put and agreed to.

Sen. The Hon. D. Maharaj: Thank you very much, colleagues. I would like to pay particular thanks to Sen. Regis for her ringing endorsement here for my contribution. I know she wants me to speak for an hour more, but I will have to speak with her privately afterwards on that.

Sen. Robinson-Regis: Yeah, yeah, yeah, we will talk after.

Sen. The Hon. D. Maharaj: As I move along, I do not want to rehash the NEDCO fiasco and the CEPEP more already, but I do want to mention briefly the Clico fiasco. Remember, Mr. President, and I want to quote here from Camini Marajh *Express* article:

“CLICO \$20m PNM GIFT: How cash-squeezed insurance giant bankrolled 2007 elections”.

Financing of Election Campaigns
[SEN. THE HON. D. MAHARAJ]

Tuesday, February 25, 2014

In 2007, Mr. President, CL Financial, cash-strapped as it were under the gun—because as way back as 1995 were being questioned by the then Attorney General, Ramesh Lawrence Maharaj as being in some kind of financial crisis. It was on the ropes already. It was struggling to survive, and at that point in time when its survivability was still being questioned, Lawrence Duprey and CL Financial gifted to the PNM \$20 million while depositors were about to lose their shirts. [*Desk thumping*]

Clico bankroll maxi-taxi, T-shirts, advertising, media activity, rent and so on, and they gave them a cheque for \$5 million. If the PNM has any decency, pay back the \$20 million now. [*Desk thumping*] Pay it back! There are depositors, Clico depositors, suffering. The State has bankrolled close to how much? Twenty-four billion dollars. If the PNM has any decency in them, give them back their money, \$20 million. Mr. President, the treasurer of the PNM was Andre Monteil, the No. 1 lieutenant of Lawrence Duprey, who was also like Calder Hart, a chairman of chairmen. He was the Chairman of the Home Mortgage Bank, Chairman of the Clico Investment Bank, Housing Development Company and Education Facilities Company.

In fact, Mr. President, one member of a CL Financial board, CMMB, the brokerage firm, told the *Express* that Monteil complained that CMMB was the only board who did not give money to the PNM campaign. So every single subsidiary company of a failing insurance company was made to pay a donation to the PNM because the election was being bought, because no doubt CL felt that if they financed the PNM, their landing would have been softer than it probably could have been.

Mr. President, the financing did not stop there, you know. You had Harry Partap, Member of Parliament for Nariva, also complaining that there were many access roads in his constituency that needed to be rehabilitated as we do in the Ministry of Food Production, but only the Plum Mitan rice scheme, 19 access roads and so on were connected to one leading up to Andre Monteil was repaired. So this is the downside of not treating with campaign reform, finance reform, and that is why the PNM has never been interested in it because they want to ensure that they cultivate and germinate many more Andre Monteils to come on, [*Desk thumping*] because to this day they have never distanced themselves from that activity.

2.45 p.m.

Mr. President, I know I have a few more minutes left but I want to treat with one of the issues that Sen. Vieira raised in his contribution. He made a call for media houses to disclose their political affiliations and to quote him:

“The media should not become an echo chamber for politicians. Reporters should declare their personal and commercial relationships. Where a media has been hijacked by special interest...people with deep pockets or those who may have a personal axe to grind, those conflicts of interest should be known. It is wrong for reporters to be used as hired guns.”

I endorse the statement made by Sen. Vieira. I think it is correct, it should be made.

But, what was the response that Sen. Vieira got? Sen. Vieira was vilified by the least of the apostles, Mr. President, Daren Lee Sing, Trinidad and Tobago Publishers and Broadcasters Association, said that the media had no political—“dese ah man who father get ah radio station overnight, yuh know, [*Laughter*] because ah political connections and he going to criticize Sen. Vieira?” [*Desk thumping*] Daren Lee Sing and the Trinidad and Tobago Publishers and Broadcasters Association should apologize to the Independent Senator for even contemplating that statement; [*Desk thumping*] to slam an Independent Senator when your hands are less than clean.

Insomuch that they riled my favourite subject of the radio station because one of the consequences of campaign finance reform—and I am sure Sen. Drayton would have come across this—is the discussion and the debate in recent times, especially since the *Citizens United v. the Federal Elections Commission* of 2010—that case which overruled parts of the fine gold case before it—was the impact it has on possibly curtailing freedom of speech. Because, as you restrict campaign reform financing, it means that less money has to go in advertising, that means the message is reduced and the ability of the electorate to select is hemmed in, and that is one of the debates on it. So therefore, media is very important and how it is treated within this concept of campaign financing reform.

Let us turn our attention, Mr. President, on October 07, 2002, the election—I want to remind you—was to be held in October 2002. So, prior to the election, Minister Beraux told George—that George he spoke to here—and this is from a DPP’s report—is none other than Sen. Emmanuel George—that the Prime Minister wanted a note brought to Cabinet recommending that Louis Lee Sing be granted a radio broadcast licence. The division’s policy was that applications for licences

were to be treated on a first-come-first-serve basis. A Draft Cabinet Note on the grant of special licence was prepared by George, Mala Guinness and Elizabeth Camps highlighting the number of concerns since the possible process would be outside of the usual procedure. It goes on, but essentially, what happened here was a known financier, a known supporter of the PNM, because they existed in various incarnations with other radio stations—in Power 102, in ninety—
[*Interruption*]

Hon. Senator: i95.5.

Sen. D. Maharaj: No, not—before he got i95.5, some Tobago station he was leasing before they fired him from there, a 93.something or the other—campaigning. Unlike any other station that exists in this country, that station is virtually the de facto PNM radio station, morning, noon and night. “Dey interrupt the talk with music, [*Laughter*] so dey campaign 24/7.” [*Crosstalk*] They campaign for the PNM only; they campaign for no other party; they promote no other party, which is their right, but, as Sen. Vieira said, they should just come out and say, “We in PNM, doh listen to we if yuh otherwise”. Let the population know what is your political persuasion and you make a choice if you want to listen to it or not.

I remember, Mr. President, during the height of the election at the time, “Umbala” Joseph who was on their station, because they had not “cuss up and buss up” as yet, campaigning in Tunapuna outside Food Masters mobilizing the support. Now, under the strict rules, guidelines, of campaign financing reform, would such a campaigning, free advertising as it were, be picked up? Clearly, it may not, so the discussion has to also include those factions—as Sen. Dr. Dhanayshar Mahabir spoke about—who may not be part of the official process but be part of the unofficial process, they have to be taken into consideration. That matter eventually was referred to the DPP who, in a statement recently, said that because of the ill health of former Prime Minister Manning and Bereaux and so on, and because of his age, he decided not to pursue the matter further.

But, the role of media—partisan media, undisclosed as they are currently, continued up to last year. We had on i95.5, the voice of the PNM, for the year before that, advertising that if you live in Tobago, you could apply for land from THA and financing to get land. Now, Mr. President, if any agency in Trinidad ever do that here, we would have Tobagonians wanting our heads because they would rightly say that we are practising inequality of treatment, that we are facilitating a biased treatment of one section of the national community compared to the other. But, in the build-up to the THA election, what you had was the THA advertising, as

they do, only on i95.5, almost to buttress and finance that PNM mouthpiece, to ensure that they have financial viability. In fact, I am told that a complaint was written to the Equal Opportunity Commission regarding that land issue.

Mr. President, I think I have taken us through some of the colourful past of the PNM and the abuse of state resources and their—[*Interruption*]

Hon. Senator: What about the UNC?

Sen. The Hon. D. Maharaj: I will meet you outside to talk about the UNC business; do not tie up yourself with UNC business—and how financing election campaign is a very contentious issue. There are pros and cons on both sides, and I think one of the main areas that concerns me really, as an individual, is its impact on freedom of speech as a result of restraining the financing. The component of media and other interested parties not in the veil of the political fray but still contribute to it, having a necessity to be brought in and the potential abuse of State apparatus of the incumbent which is often used by all incumbents.

The proposal of some, as has come out in this debate, is taxpayers contributing towards the campaign financing itself, and that has given rise to another debate: Should taxpayers contribute at all to political parties? Because we know the vast majority of electors in this country choose the third option which is to stay home, just do not vote, so if you are exercising that franchise not to vote, why should you be forced by way of the State collecting taxes to contribute to a process which you have elected to opt out of, and in a democracy, that is your right. You have the right to choose not to vote. In some democracies, there is a fine for persons who do not vote, but we have not gone that route, and I do not think there is anything on the cards to indicate that. But the idea of the taxpayer who is not participating in the process for some reason or the other, because they may say they cannot distinguish one or the other, it may be religious reasons or whatever, why should they not have the freedom similarly to abstain from having their taxes garnished in order to participate in a process that they do not participate. As Thomas Jefferson said, compelling a person to support a cause he disagrees with is sinful and tyrannical.

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

Sen. Avinash Singh: Thank you, Mr. President. Today, I rise to contribute to a well-anticipated Motion on campaign financing in Trinidad and Tobago. Firstly, I commend Sen. Helen Drayton for being bold and brave to resume conversations on this topic that affects the core of every political institution existing, or that will exist, in our nation.

Mr. President, before I go into the meat of my contribution, I would like to respond to or rebut some of the statements made by the goodly Senator, hon. Devant Maharaj. I start by indicating that in terms of the NAMDEVCO issue, hon. Minister, perhaps you did not understand the words “prior to” as opposed to 2009—2014 [*Desk thumping*] when you mentioned that my family’s operation would have supplied 26,536 pounds between the period October 2009 to February 2014. My statement was prior to July 29, 2013, so it could be any part thereof or even before. [*Laughter*]

Sen. Al-Rawi: Playing smart with foolishness. [*Desk thumping*]

Sen. A. Singh: Mr. President, I move—[*Interruption*]

Sen. Al-Rawi: No details on how much they brought. None!

Sen. A. Singh:—to another field in his area, flood relief and the procedure, and he boldly responded and spoke of the flood damage issues, even my personal flood damage issues. I have been a professional farmer since graduating out of the University of the West Indies with a Bachelor of Science in Environmental and Natural Resource Management and Agricultural Science, and a proud farmer that is; [*Desk thumping*] a producing farmer that is, whether it is one pound of sweet potato or five million pounds of sweet potato. We all eat sweet potato—I mean, I am sure the hon. Minister also eats sweet potato.

But, Mr. President, I have been also a recipient of State subvention in the form of incentives and flood damage reliefs, and it is very interesting to know that the hon. Minister would come here and read the procedure to apply. I would just like to enlighten you on my own personal experience of applying for a flood relief. When your field is flooded, you immediately or thereabout have 14 days to apply to the Ministry of Food Production, County Caroni office in your division, for that damage.

Sen. Maharaj: Flood relief debate, man. [*Laughter*]

Sen. A. Singh: You brought it up.

Sen. Al-Rawi: That is right.

Sen. A. Singh: Upon that application, the application is reviewed and the county officer in charge of that area comes to visit the plot, after which the documentation is processed, and he would have gone into some of the details. But the point is, Mr. President, being a farmer and being from a background in agriculture with my family’s operations having some 40 years’ experience in agriculture, not once have I ever known that cheques for flood damage relief are taken to farmers as done in St. Joseph. Never! Not in the history—[*Interruption*]

Sen. Al-Rawi: Friday before a Monday election. [*Desk thumping*]

Sen. A. Singh:—especially during an election period.

Sen. Cudjoe: We had no flooding for the day.

Sen. Hadeed: Good service; good good service.

Sen. A. Singh: The way I know it is that the county officers calls the farmers to their county office—[*Interruption*]

Sen. Maharaj: That is under the PNM!

Sen. A. Singh:—to collect their cheques and sign to collect them. So that is left for the public’s perception as to what really went on in St. Joseph during that election period. [*Desk thumping*]

He also claimed about the timely release of payments, perhaps, I can stick in my own personal issue here. I had flood damage—it was raised in the newspaper—20 acres of sweet potato damaged. Perhaps, you could probably fast-track the way you would have fast-tracked [*Desk thumping*] these payments in St. Joseph.

3.00 p.m.

Mr. President, the hon. Minister of Food Production also went on to details as to the flood relief and subsidy under the PNM but, as a farmer—and I hold this dear to me. As a farmer—I am suffering under this current Government. I am suffering under this current People’s Partnership led Government, in terms of agriculture. And I speak here on behalf of many farmers who wear similar hats and similar shoes in the public domain.

That statement, Mr. President, is totally misleading. And, I mean “yuh” have the parliamentary privilege to say that and not be challenged. But, Mr. President, I have been in agriculture, with my family and every opportunity we get to purchase agricultural machinery and equipment to aid in the technology of moving the agricultural sector forward, I have taken that. And under the People’s National Movement, in Government, in the past, I have prospered, as a farmer. [*Desk thumping*]

I have benefitted from many programmes and yes, I must commend him, I mean, he did take some initiatives from the farming sector and move certain aspects. I am not here to challenge or condemn his actions but I am here to read into the record the truth.

Mr. President: The nature of the debate—you are free to, of course, respond to Sen. Maharaj, but you are tending to go outside of the parameters of it and we must keep it within the notion of the debate.

Sen. A. Singh: Thank you, Mr. President, for that guidance. But, as I was moving to that part of my contribution, Mr. President, I will fast-track it for you. I will fast-track that part of my contribution for you, Mr. President, to indicate how agriculture was affected in this campaign fiasco. And, let it be known, as printed in the Trinidad *Express* Newspaper, a day before the Chaguanas West by-election, an article surfaced in the newspaper, strange enough, headlined “Group ‘not connected’ to Singh”. And let me just read the first line of that article, Mr. President.

Sen. G. Singh: Which Singh is that? Ganga Singh?

Sen. A. Singh: Avinash Singh. [*Laughter*] The article, as I mentioned: “Group ‘not connected’ to Singh”.

“President of the Agricultural Society of Trinidad and Tobago Dhano Sookoo on Saturday put out a press statement, stating the organization was not in support of”—the—“People’s National...candidate Avinash Singh.”

Mr. President, under ASTT, Chap. 63:01, Agricultural Society Act of 1919, the Agricultural Society of Trinidad and Tobago is a state-funded agency. It is supposed to be an independent organization but the mere fact that it deals with state funding, I will like to ask the hon. Minister of Food Production, of which the ASTT falls under his jurisdiction: is this what you give them millions of dollars to do? To come publicly, in an election—[*Interruption*]

Sen. Maharaj: “Yuh” giving “meh” an opportunity to talk?

Sen. A. Singh: I will give way this one time only, Mr. Minister.

Sen. Maharaj: I would like to thank the Senator for giving way. I would like it to be known publicly, as you say, via the President, that the Ministry of Food Production has had serious concerns about the financial transactions of the ASTT and for a number of months, because of what we see as breaches in the ASTT, we have held back on the subventions being given out. The activities of the ASTT is that of the people who associate with it. As of right now, the Ministry has not recognized the election that took place because of irregularities that were reported, by the nominee of the EBC that conducted the election on behalf of the Society, the senior legal adviser of the Ministry of Food Production, by the accountable head of the Ministry of Food Production there, Gainel Seenath. So, I

want to put it on record that the Ministry of Food Production has no dictates, gave no instructions. In fact, because they were not carrying out the instructions to properly conform that we had to restrain them.

Sen. A. Singh: Thank you, Minister of Food Production, for that remark and I believe it needs some ironing out with the president here, “ah doh” know who she is, but the president of the ASTT or the ex-ASTT, or whatever “yuh” call it.

Moving on, Mr. President, the hon. Minister of Food Production misled this House and indicated that there was no call from the People’s National Movement for campaign reform. But I would like to draw your attention to Wednesday, March 23, newspaper, the *Newsday*. I would just like to read—permit me to read—*[Interruption]*

Sen. G. Singh: What year?

Sen. A. Singh: 2011. And the headline is:

“Calls for campaign finance legislation

PNM political leader and Opposition Leader Dr. Keith Rowley wants Government to bring campaign finance legislation to Parliament. Addressing a news conference at the Opposition Leader’s Office in Port of Spain on Monday, Rowley said”—that—“the PNM was now in the process of revisiting its own membership arrangements as it seeks to attract membership.”

So, Mr. President, a lot of talk that is very cheap—untruths.

Further echoing that sentiment, we further—*[Crosstalk]*—yes, Mr. President, I am moving to that. The hon. Minister also indicated, in his contribution, and went as far as to name known PNM financiers and so on. But, Mr. President, I will like to draw your attention to the fact that: is there not a sworn affidavit, in court, I am advised, as a gift to explain where Mr. Panday, who happens to be the ex-Prime Minister and the former founding father of the United National Congress, as to where his moneys came from?

Mr. President, there is a sworn affidavit to the sum of that.

Sen. Maharaj: Mr. President, is that not before the courts?

Sen. Al-Rawi: Which court is that in?

Sen. Cudjoe: Which court?

Mr. President: I am not aware that it is before the court. Proceed. *[Desk thumping]*

Sen. A. Singh: Mr. President, also dealing with campaign finance and moving—[*Interruption*]

Sen. Maharaj: It before the Court of Appeal. I am advised by counsel here that it is before the Court of Appeal.

Sen. Al-Rawi: Which counsel?

Sen. Robinson-Regis: Which counsel?

Sen. Sturge: It is before the court.

Mr. President: If the matter is before the court, you are not going to be able to refer to it but I just do not have any personal information. Of course, you are entitled to take the word of Sen. Sturge, who is indicating that but—[*Interruption*]

Sen. A. Singh: Thank you, Mr. President, and I will be guided by your ruling—but the point is that what I am trying to say, Mr. President, is that when you come here and you raise the issue and you went boldly and said: is it Andre Monteil?—or whoever supports the PNM financially and so on. Who is Lawrence Duprey? Who was Mr. and Mrs. Basdeo Panday’s best friend in 1996 and 2001? [*Desk thumping*]

Mr. President, another point, as I respond to some of the concerns and contributions that the hon. Minister made, is that he indicated that the PNM went to a “one man one vote” now and they had that since inception and so on, Mr. President. The way I know it, in the public domain, Mr. Basdeo Panday, having been a lifetime member of the United National Congress, could not even find his name on the list. Is that democracy under the UNC, Mr. President? [*Desk thumping*]

Jack Warner, the ex-Chairman of the United National Congress, was nominated by every party group in the United National Congress, including the Youth Arm and yet still he was not selected. That is democracy under the UNC, I could tell you that. [*Desk thumping*]

Moving to the meat of my contribution now, Mr. President, by virtue of where we are as a nation and where we would like to go and, by echoing where we are now—and the hon. Sen. Dr. Bhoendradatt Tewarie highlighted these sentiments in his contribution at the beginning of this debate on November 26, 2013. He said that the primary concern affecting:

“transparency, accountability and...democracy”—is during an election campaign when contributions are made to support a political party or individual after which that candidate and party becomes successful at the polls, payback time follows right after. And there is a perception that payback may come in the

form of—“terms of award of contracts, political appointments, enacting beneficial legislation or to be generally supportive of the causes advocated by financial donors.”

Mr. President, that is no perception. Those are the very reasons why we are here today and, by extension, that is one of the main reasons why there is need for amending the legislation or bringing new legislation to protect democracy and prevent corruption practices. We are speaking about political parties, but in our context, what really is a political party under our current law? Because the way the public sees it, a political party can be any group, any organization, institute, NGOs, religious organizations, all of which could be considered political parties because for election, any entity meeting a minimum criteria can successfully put up a candidate to participate in an election.

And history has it in the form of independent candidates. This is also evident in the fact that candidates representing groups with no set of constitution, no registration, no rules and regulations for conduct in public office and even persons with interim positions running for elections. Some being unsuccessful while others being elected. Now, let us put that into context, Mr. President. These individuals, the sole objective for entering the race of politics is to be a successful elected public officer, most aiming to be either a local government representative, a chairman of a municipal corporation, or a Member of Parliament, and even aiming to be the Prime Minister.

Mr. President, all these positions I have identified have immense power attached to them. The power to make development decisions, the power to employ individuals, the power to appoint individuals and more importantly, the ultimate power to control State resources. That is the importance of campaign finance and political parties as it relates to the constitution of political parties. We need to know that whoever wants that power is guided by accountability, transparency, democracy, integrity, morality, all-inclusiveness and good spirituality.

Similarly, that of the only political institution in the Republic of Trinidad and Tobago, over our history, that has entered every single called election; that has a solid foundation in the form of the Constitution that is second to none; that has portrayed stability and loyalty in its marriage to its burgesses. Fifty-eight years of breathtaking policy framework and experience, Mr. President. [*Desk thumping*] That institution, Mr. President, is still standing ever so powerful, “unfractured”—People’s National Movement, Mr. President. [*Desk thumping*]

Mr. President, to the persons still wondering why I openheartedly chose to represent the People's National Movement in the Chaguanas West by-election. All I mentioned earlier was the first reason. And the second reason is because of the committed, mentally strong, sober, political leader of the Movement, the father figure, mentor and role model in his actions, Dr. Keith Rowley. [*Desk thumping*] So, let your minds not be troubled.

So, Mr. President, the drafting of this Motion should also include political parties and laws dealing with such because, as we are well aware, campaign financing is directly linked to political parties. Fortunately, Mr. President, unlike my hon. colleague opposite to me, and just like a few hon. Senators here in this Chamber, I have had the opportunity to enter electoral politics. I have had my baptism of fire during the Chaguanas West by-election, so I have first-hand experience about what happens during a campaign.

3.15 p.m.

Mr. President, let us not forget during that Chaguanas West by-election what took place. I would just raise a few of what happens during an election, where campaign finance is concerned.

Mr. President, I recall going to purchase about 30 T-shirts for my campaign and when I went to collect those T-shirts, a truck pulled up by the "same said" printery in the area and collected over 40,000 T-shirts. I do not wish to name the political party but it is not the PNM and even more so, it was in the public domain that a certain container of T-shirts was held at the port. I am into the importation business as well and I know a lot of T-shirts could fit in a container. The point is the cost associated with elections is exorbitant and, yes, we understand that because the threshold limit that is set for general election is \$50,000, plus an additional \$5,000 personal capacity and local government election of \$25,000. We need to have some sort of legislation to be guided by.

Moving further, that election in the Chaguanas West area led to some behaviour by this Government that I wish to say was unfounded and was not called for. I would just raise one of the issues in the area. Roads were dug up. Water lines were being run, Lylane Street, Nolan Street, Pinglar Street, Phillip Street, Tahadale Road was dug up during the Chaguanas West by-election. Now the point is, this was happening weeks before the election and all roads leading to the Shri Krishna Mandir where another political party was due to hold a religious inter-faith ceremony and all roads leading to the Green Park Savannah in Felicity, in which the same political institution was supposed to hold a mass meeting the

Saturday before the election, those roads were dug up days before an election. The point is water lines were being run to individuals and citizens of Chaguanas West who already had water. The point is, why not take that resources? I mean, it is infrastructural development and I see the need but the point is, where was the priority of the rest of citizens of Trinidad and Tobago? Where was the priority of water for citizens who did not have a ready supply of pipe-borne water?

Mr. President, most of the roads had to be manually covered. The trenches were manually covered hours before that political party's meeting. Tahadale Road is yet to be paved. It was dug up, infrastructural works started and it is yet to be paved. Since July 29, 2013 to now, the road is deplorable. So, hopefully the hon. Ministers or relevant authorities could take note, Mr. President.

Moving a step further, as we are on campaign finance and creating legislation to move this country into First-World status as we know it. I turn your attention to the St. Joseph by-election and with respect to that St. Joseph by-election, Mr. President, I do not know if you all could recall 10 days, 25 projects, incredible performance and all the media articles, paid political advertisements, and so on, being placed on print media, televised and so on, social media. Who paid for that? Because we would like to know when a campaign is in gear and election mood the finance part of that election has to be "beared" by somebody and it is unfortunate to know that—[*Interruption*]

Hon. Senators: Borne.

Sen. A. Singh:—the political party—[*Interruption*]

Hon. Senator: Not "beared," borne.

Sen. A. Singh:—in power maximizes the use of state resources in an election. That is unfortunate, Mr. President. During this period, a lot of promises were also made and no better place to ask the question but right here. During the Chaguanas West by-election, I am just coming back to the Chaguanas West by-election, promises was made—[*Interruption*]

Hon. Senators: Were.

Sen. A. Singh:—promises were made, sorry. And I turn your attention to, permit me to read this headline. I would not go into details but it is from the *Trinidad Express*, dated June 18, 2013:

"Promise of 4,000 house lots as UNC meets in Felicity"

Financing of Election Campaigns
[SEN. SINGH]

Tuesday, February 25, 2014

Mr. President, during election time many promises are made and I would like to see some of these fulfilled.

Election also brings a lot of public knowledge, as in the case of the article in the *Trinidad Express*:

“Jack vs the UNC”

I just want to read one line. Permit me, Mr. President. It is just to give the public perception as to what election strategies and election campaign bring to the public domain. The second paragraph:

“Jack knows about the millions the party needed for the 2010 Local Government and the 2013 Tobago House of Assembly (THA) elections. Jack knows the sources. He knows the payback terms, middlemen and beneficiaries.

And Jack knows the same dollars used to get him in government, will be used to keep him out of it.”

So said, so done, Mr. President.

During the elections, Mr. President, if we would turn back and recollect the Tobago House of Assembly election, this Government promised internal self-government during that election. We are just saying that while all these promises were made during campaign trails it is unfortunate that they would just come here and make some statements that are so unfortunate.

The hon. Minister of Food Production also mentioned that in their manifesto they have campaign finance legislation and all of that. Real good with words, but no action. I would assume that particular issue on campaign finance was a misprint, just like the misprint that all persons at 60 should get pension, Mr. President. [*Desk thumping*]

Mr. President, corruption monitors from Transparency International indicate, and I quote:

It is not just how much will be spent but where the money is coming from that threatens the integrity of politics around the world.

We in Trinidad and Tobago can directly relate to that quote, as evident in the public domain, as reported in every media before, during and after all recently-held elections.

Mr. President, the intention is to govern the financing of election campaigns. My colleague, Sen. Faris Al-Rawi, articulated and educated us so nicely on some of the legal parameters of moving forward in achieving that goal. In his contribution he mentioned the OAS draft model law on the regulation of political parties and political financing systems. So I will not go into much detail in that document but I urge all Members to read that document because it sets the tone for democracy in all 76 clauses.

Mr. President, our system was compared to and compared with other countries and I would like to raise just a few points from my research on campaign finance laws of our counterparts. In India, the world's largest democracy, there is something called black money and it is rampant in the campaigning and strangely enough that is even evident here in our small twin-island state. Those who donate campaign finance to parties, they tend to control the politicians, in that the politicians become more accountable to the party financiers rather than the constituents. In India, votes were bought in poor areas with cash or smuggled liquor.

In 2009, Tamil Nadu, a state in India with a population the size of France, 33.4 per cent of voters received money and appliances to cast their vote in a certain way. The Transparency International of India reported that there is a lack of political will to bring about fundamental change in the politics in India.

Mr. Anupama Jha, Executive Director of Transparency International in India, is quoted in that report saying, and permit me to quote:

“It's extremely difficult to get into politics if you don't grease somebody's palm,' This is why good people don't want to contest elections so ultimately you vote for corrupt people, because those are the only people you have to choose from.”

Mr. President, that would be a shameful classification if one were to judge our current politicians here in Trinidad and Tobago in that manner and I would only hope that our culture and social standing prove the Indian theory wrong, Mr. President. In fact, I would pray that our respectful Members of Parliament are very, very far from that.

I now turn your attention to Russia. The Director of the Transparency International of Russia, Elena Panfilova, is reported saying, and permit me to quote her, Mr. President:

“There are two sets of rules in Russia--one set for parties who are paying out of their own pockets, and another for the party and candidates with access to public resources...”

Financing of Election Campaigns
[SEN. SINGH]

Tuesday, February 25, 2014

all of which my opponents are very much aware of. Now, this we can relate to, especially with all the allegations of the misappropriation of funds and spending exorbitantly out of resources and not prioritizing work to be done in the recently held elections.

Moving further, Mr. President, let us go to Brazil, Latin America's largest country and one of the world's fastest growing economies. Mr. President, citizens are not very concerned about supporting parties and having a political life because politicians fail to form relationships with their constituents. Campaign financing, has been, it is, and will continue to be the burning hot topic in every democratic nation where election determines the power bearers.

We in the PNM respect our democracy and understand the need for consultations in any decision process, as alluded by those on this Bench and even echoed by our attendance to the regional forum on strengthening regulation of political parties and political financing systems in the Caribbean, which was held in Bridgetown, Barbados from May 08 to 09, 2013.

Sen. Robinson-Regis: We were the only one there. [*Desk thumping*]

Sen. A. Singh: Mr. President, PNM was the only one.

Mr. President, the General Secretary of the People's National Movement, the most capable and abled Mr. Ashton Ford and the Chairman of the EBC, Mr. Norbert Masson, were the representatives from Trinidad and Tobago in those discussions. This strengthens my point that the PNM is the only political institution who values democracy and, by extension, the lives of the citizens. [*Desk thumping*]

In closing, we also value the intention of this Motion revived by the hon. Sen. Helen Drayton and we are willing to cooperate in dialogue for the benefit of good operational legislation that will serve the interest of the wider community. Mr. President, I thank you.

3.30 p.m.

Mr. President: Sen. Balgobin. [*Desk thumping*]

Sen. Dr. Rolph Balgobin: Thank you, Mr. President. [*Desk thumping*] I propose to speak briefly on this Motion, and I have to say I am very encouraged by our last few days here, because I think we have had the opportunity in the last few debates to examine various aspects related to the quality of our democracy. Last week we looked at the media. This week we are looking at political parties, politicians and donors.

I think that, therefore, this Motion comes at a very good time. It is healthy and laudable, but the questions we must contend with, strike to my mind, at the very heart of the foundation of a democratic society. Now, this question, this question of campaign financing, political paybacks and so on, has vexed us, of course, for many years. We heard from Sen. Maharaj that we had at least two tries before. We had in 2006, then 2009 and now here we are in 2014. The public's mind I think has drawn a very clear nexus between contracts, contributions and contacts. Contacts give contributions that drive contracts.

In South Africa, a term has actually arisen for—which documents this relationship and it is called a tenderpreneurship, and the people who derive benefits from it, are now called a new breed of entrepreneur, they are called tenderpreneurs, that is, their entire business is built around the State and tenders. It is first noticed in South Africa, yes, but it has reared its head here as well. There are enough anecdotal stories to suggest that it features heavily here, there are lots of new and obnoxious displays of wealth about. So in the public's mind, the question, the issue of political payback appears to loom large.

I have listened to the debate so far, and to my mind, this Motion demands the exposure of a dynamic, which must be stabilized by balancing two competing forces. I have not heard a lot about that in our discussion so far. What are these two forces? First and foremost, every citizen in Trinidad and Tobago has a number of rights set out in the Constitution, enshrined there. These include explicitly the right to participate in the political process, by joining political parties and expressing political views. And so the clear implication of this is that people are free to support political parties of their choice, and that is—at least part of that support can be financial. I am entitled to take my money and give it to a political party which reflects, I believe, what I want to see for this society. That is an integral part of the democratic process, and political parties are essential ingredients in the democratic discourse, which creates and recreates almost daily, the equilibrium in a society and helps it to move forward.

So, on the one hand you have this right, this right to political involvement. On the other, you have an issue which is the extent to which political contributions or donations, deny a person the right to equality of opportunity. Now, equality of opportunity is suggested at very heavily in the Preamble and section 4 of the Constitution and really, therefore, the issue is to what extent is this right impacted by political donations or support of an individual party or party event.

Now, this, of course, is a critical balance because if we do not have transparency here, the balance cannot be easily struck. It instead cements in place a kind of unequal, unfair societal system. Now, the implications of this are almost too

Financing of Election Campaigns
[SEN. DR. BALGOBIN]

Tuesday, February 25, 2014

terrible to contemplate because to leave this alone, continues to institutionalize an opaque set of arrangements, which lends itself to corruption, and so a balance must be struck. It is no longer for us a nice to have. Our democracy's evolution now makes this an imperative.

If I digress for a moment to make reference to something that—a report that has come up in another place. I would say, that the majority of citizens in this country, for example, are blissfully unaware that the democracy is functioning with a part-time Parliament, [*Desk thumping*] and no one has told the society that. The society is completely unaware of that. So globalization has galloped ahead of governance.

The rate of change in our democracy, in our society has overtaken our capacity to cope, to keep up, so the Parliament is one of the major institutions of our democracy that has been left behind. And it needs not so much reform, you know, as common sense changes, that anyone from outside looking at a democracy like ours would see and would call for. But how is the Parliament constituted? It is constituted of political parties and these parties are funded, they have always been funded by donors. The parties themselves do not have the wherewithal, they are not businesses. They have to get money from somewhere. They get money from citizens and from businesses. The fundamental point behind this Motion appears to my mind to be, that the rights of those who give, and the rights of those who do not give, must be exactly the same. They must be exactly the same, and the way that we ensure that, is to have as much transparency as possible around the issue of donations to political parties. [*Desk thumping*]

When democracy is opaque, few win, and the majority loses. There is a term for it, it is called “elite capture”, where the elite in a society takes on the benefits of running the society for itself. They take advantage of the natural resource base and they do what they will, and the majority of people are left out in the cold unaware, disenfranchised and unaware even about the extent of their exclusion from opportunities that ought to be provided to the citizenry.

But, of course, with all of this opacity comes a more insidious outcome and that is the slow, grinding, inexorable decline in public trust; in trust in public figures, public institutions and that has happened here. We assume that politicians are corrupt. These are people who dedicate their lives to the service of a society, and we assume that they are corrupt. We assume that public institutions do not work and they are corrupt. So it creates on the one hand a vacuum, and on the other, a very powerful disincentive to quality citizens to participate in public life. So we know the problem and we know it must be addressed; that is what I heard

in the debate so far. Yet this initiative, this Motion, has died twice before despite everybody agreeing it is the right thing to do, despite everybody agreeing it is important. It has died twice before.

The World Cup is upon us. How do we avoid a hat trick? Have a joint select committee. I endorse the Motion. But, Mr. President, I have another option, one that is far quicker and more powerful. Joint select committee—and it is not to the exclusion of the joint select committee option which I still support and endorse, but since I have sat here all these years and have heard repeatedly regardless of who occupies that side and this, various claims for who has a monopoly on virtue and honesty, and I suppose conversely, who is a thief, and which party is a thief, which party represents a band of thieves and liars, a repository of corruption. Since I have heard that all of these years I, therefore, challenge now, today, both sides, any side, to voluntarily declare all financing received in support of persons, party or party initiatives. Too much time calling each other thief in the full view of the nation, full view of the public. Enough! Joint select committee, yes, but better than joint select committee; voluntary declaration.

If either of these sets of folks here or anybody outside who for whatever reason cannot find their way in here, want to lead this country, lead by example and not by legislation. Do not wait for a law to compel you to do what you know you should do, and what this democracy needs you to do. Take the lead. Light the way, somebody in here. Somebody in here, has the courage to stand up. You have the courage to call everybody else a thief. Stand up and say, I am going to voluntarily declare. That is what this democracy needs. Step forward if you will, and show me and, more importantly, the nation, what leadership looks like. That single commitment, Mr. President, I suspect will do more for the hope of our citizens than the deliberations of any committee. Which party in here has the courage to do it. I have grown wary of hearing people sling mud at others and call each other thieves. As John Major said, the former British Prime Minister, it is time to put up or shut up. [*Desk thumping*] Declare. Come out and tell us. Do not wait for a law, declare now, if you dare.

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

3.45 p.m.

The Minister in the Ministry of National Diversity and Social Integration (Sen. The Hon. Embau Moheni): Mr. President, I rise to make a contribution on this most important Motion. I must commend Sen. Drayton for bringing this Motion at this particular point in time because campaign financing is so critical,

Financing of Election Campaigns
[SEN. THE HON. E. MOHENI]

Tuesday, February 25, 2014

not only to our democracy, but to the quality of governance in our society, as well as in any other. This issue goes to the very foundation of the quality of governance that we have in our society, and we as a nation have stood proud to speak of the virtues of our democracy, but what does democracy hope to achieve? What does it imply?

Democracy relates to that sovereignty—that power of the people—and within our system is enshrined the right to vote, but what does that right imply? Is it merely an opportunity every four or five years to go to the polls? I say it implies more than that because that power should carry with it the guarantee and the ability to have the wishes of the electorate pursued to the best of the ability of the government in office. I say pursued because, you know, all systems are flawed but, at least, it should be pursued vigorously to the extent that what the electorate cast their votes for can be pursued.

In our democracy which has evolved from the colonial period to the present, it is one that we cherish because of the struggles of those who came before us. At one point in time, we had no elected representatives, but in 1925 you had the Legislative Council being established, where for the first time citizens were given the right to vote, but it should be noted that there was an attachment of wealth. In other words, outside of the age requirement, the most important determinant of that right to vote was once income, and the property that you owned. So when we talk about campaign financing and the role and impact of money on elections and governance, it is not something that started recently; it is something that is embedded in our tradition and our system over a period of time.

However, even in 1925, whereas the age of 21 was the prescribed age for men to vote, in the case of women, it was 30 and over. So even then we saw that the system had a certain measure of discrimination, in this case, gender. In 1946, we took a leap forward in that for the first time elections were held on the basis of one man, one vote. It means, therefore, in my opinion that, at that time, we reached the highest level of democracy and we will understand why as I go along.

The question of money, however, brings into the political arena a certain ethic which is outside of some of the principles that we may consider democratic. Because democracy which, as I said, should guarantee the fulfilment of the wishes of the population, one in which the people have access to information; they have the right to communicate through freedom of speech, and they would like to be able to make their decisions on the basis of that information so that their decisions could be informed as well as be in their best interest.

Governments under the democratic system are mandated with a responsibility to utilize the nation's resources in a prudent manner. In other words, their decision making should be based on allocating resources in such a manner that would be in the best interest of the broadest cross section of the population possible. When, however, their decisions are influenced by other factors, the process of governance is affected. We have seen that based on the evidence and based on the quality of governance that we have witnessed over time that much is left wanting. This issue of campaign financing is critically important if we are seriously going to pursue a quality of governance that could pursue equality for all, rather than have it as a platitude to be expressed without showing the will to have it instituted.

Our desire to have an ordered society where because of the level of fair play that exists, one feels satisfied that one's rights are being protected while, at the same time, the opportunities that need and are expected to be provided for one and all could exist; where the question of ensuring that the nation's resources are utilized, not only in pursuit of the immediate but to ensure and to guarantee that we could leave a legacy for the generations to come.

I would like us to take a look at that movement from the 1920s, the 1940s to the present time. The question of the modern campaign and the rise of the power of the mass media in determining political decision making, one would see that we have traversed the whole circle, the entire circle, because in 1925 when we were given our first taste of electoral politics, it was clear for one and all that the system gave preference to those who had wealth and money. However, today, we have reached a point where, by and large, for decisions to be made, we must have access to the media.

For a political party to be successful, it must have access to millions of dollars in order to buy television and radio time to mount a campaign that could dazzle the electorate and guarantee success. In other words, it is no longer a question, as you would have had in time of the '40s where politicians would go on the road corner with a bullhorn from street to street, and reach the electorate in that way. Today that era is past; enter the era of corporate funding which, in my mind, is a movement away from the early period where the objectives were more clearly defined. For what you find happening today is that the goals of the corporate entities—the goals of the big corporations—that enter the fray with their millions of dollars are not in keeping with the goals of the electorate for a society in which human welfare and well-being could be taken care of.

4.00 p.m.

The corporate body is coming into the situation with their predefined goals and objectives for profit maximization. It means therefore that the political parties and the political players who are dependent on these financiers in an environment of such strong and powerful rivalry between the parties, moving from higher and higher expenditure where campaigning is concerned, oftentimes become dependent on finance capital that they need in order to get into office.

In such a situation, there is the danger of the politician or the political parties becoming compromised, and being placed in a situation, or situations, where that power of the dollar, that power to influence communications, that power of purchase, of time, of ideas, becomes a threat which could compromise the independence of the political parties. But it also compromises the very quality of the campaigning, a campaigning which is so important if the democratic principles are to be pursued and preserved, which could lead, and which oftentimes leads to a disconnect between the political parties, the politicians and the electorate.

We know that over time for any system to work, the confidence of the population is necessary. This is why legislation with regard to campaign funding is so important. The electorate would need to know that the system is transparent. Transparency is a critical principle where the democratic process is concerned.

I would say that the question of governance is important because at this level what happens in Parliament, what happens at the level of governance sets the tone for the entire society. The modern campaign, where money once again determines the final outcome of our elections, is one which tends to alienate the population from the process. Political parties and Governments should not be influenced by that need that comes from financiers or anyone else. We sometimes talk about justice being blind, but so too in governance, decision-making must be in the interest of the present and future development of the nation.

So I would say that it is important that we take measures that could make the electoral process one that is more in keeping with our ideals of democracy. I would therefore support the Motion that was proposed by Sen. Helen Drayton, that we take measures, whether it is through a joint select committee so that we could ensure that the process is fairer and freer, that would ensure that the process is more transparent; that could give the electorate the opportunity to know exactly why they are casting their votes, and what outcome they expect when they do so. I thank you. [*Desk thumping*]

Mr. President: Sen. Roach. [*Desk thumping*]

Sen. H. R. Ian Roach: Thank you, Mr. President, for the opportunity to contribute to this debate. Mr. President, I have been fortunate to sit in this Senate on the last two occasions when this debate commenced concerning campaign finance election, which has been sponsored by Sen. Helen Drayton.

In principle, I immediately will say that I am in support of such a Motion going forward, but because I am privileged to be speaking in this order, which is some way down the line of speakers that have gone before me, I have been able to listen intently and be able to cull the substantive merits in supporting a Bill of this nature. And to me, my contribution will be short because I think in any debate—I mean, at the end of the day it is a clashing of ideas with the hope of convincing or persuading one to accept your view or not, and taking out the political bantering and picing as well, which may have taken place in the Senate, there seems to be a unanimous consensus that such legislation or campaign finance reform is needed in our country to support the two major pieces of legislation that we have right now, which are the Representation of the People Act and the Elections and Boundaries Commission (Local Government and Tobago House of Assembly) Act, Chap. 25:50.

Obviously, there is need for such finance campaign reform, because it is certainly, as all the Senators without failure who have contributed have said, it would assist us in making our democracy more transparent and creating a fairer and more equal playing field for all Members in electoral politics. I see no benefit in going over and repeating what has been said ad nauseam among Senators here in promoting the merit, be it the genesis for such legislation or the framework in which it is to be done. To me, one needs to bring this to some sort of conclusion in order not to lose the opportunity which has gone on the two other occasions where it lapsed.

I think that whether it goes to a joint select committee or a special committee, the technicalities of that in terms of saving time could be easily addressed among, certainly, the more experienced Senators present here, and let us take this to a point where it delivers something from the debate. The debate has gone on significantly for a very long time. It seemed to be a love affair with the reform, but at some point in time in any love affair one has to bring the courtship, as well as the foreplay, to an end. It must consummate into something, and I think at this point in time we should—[*Interruption*] Pardon me?

Hon. Senator: [*Inaudible*]

Sen. H. R. I. Roach: Why? [*Laughter*] [*Crosstalk*]

I think it is high time, because I think it is needed. We have elections coming around the corner in 2015 and campaign reform legislation of this nature certainly will assist this Government, this Parliament, in delivering on something that has been outstanding for far too long. So instead of going back again over the merits and the basis for why this Motion is taking place, I think one should hasten to the point where the Motion could become a Bill and the Bill can move towards fast-tracking to become an Act, that can be implemented in the shortest space of time. So that in 2015 we will have a body of legislation in terms of campaign finance reform legislation, which will help to police and secure a fairer and a more acceptable continuation of our democratic process in terms of electoral politics.

I mean, there is no lack of examples in terms of around the world in Commonwealth countries that also have taken this path of seeking to incorporate into their democratic process, election campaign reform. We have here, right here in Trinidad, we have had the EBC, the Elections and Boundaries Commission, which has had conferences, which have produced papers on the merits, the legislative framework and so, all that is necessary in making this a reality. I think instead of, again, using up much more time, which if it becomes a Bill in this session, again, time will be needed to go through the ramifications and the technicalities of such an Act.

I think the time will be better spent in getting to that stage, rather than to continue this debate again in just revisiting and saying, in a different form or in a different fashion, all that has been said before by all Members of the Senate here. In that regard, I categorically find favour in the Motion proposed by the hon. Senator Helen Drayton, that this Motion be put before a joint select committee or a special select committee, whichever will be the fastest way of getting this to the form of a Bill to become law. I thank you for my contribution. [*Desk thumping*]

4.15 p.m.

Sen. Elton Prescott SC: Thank you very much, Mr. President. At 4.14, I suspect that I can deliver myself of this bile that I have, long before we go to a break. I thank you very much.

The Motion before us is:

“Be it resolved that Parliament appoint a Joint Select Committee to propose a legislative framework to govern the financing of election campaigns and to submit its report with recommendations to both Houses of Parliament within six months of the appointment.”

The Motion allows us to look at what is transpiring now and to make suggestions as to how things may be improved, because it is without doubt that there is need for improvement in what we do at this time.

Indeed, I think it might be fair to say that like the sped arrow or the spoken word, we have gone so far wrong with election campaign financing, that the opportunity may never come back to us. Indeed, I am about to propose that should a joint select committee be established to look into this matter of campaign financing, they may do well to consider legislative reform that might appear radical, even at this time.

The point is that there is no party—no major political party that is—in Trinidad and Tobago, I suspect, that would be prepared to say honestly that it is not financed by any individual or corporation, be ye citizen or not. In any event, if you were to find such a party, our country has become so cynical of the activities of political parties today, that it is unlikely that anyone would believe those who speak to that effect, to say that “We are not financed by anybody. We throw cake sales and barbecues”, and the like. It means therefore that funding has to be accepted as being an element of how these parties conduct their business.

I am inclined to recommend that legislative reform should be such that State funding should be the way we would go. Funding that would be paid for out of the Consolidated Fund, or something similar to the Heritage and Stabilisation Fund or whatever it may be, but it has constitutional backing. We must amend the Constitution to provide for that public expenditure. How can we do that? Firstly, we must ask ourselves: Would it be inconsistent with any of the constitutional freedoms that we have? And my answer is no, it is not. We are free to join political parties, we are free to express political views, and it would not matter if the source of the funding of the parties which we support does not come directly from us, but indirectly through the revenue that the society creates or brings in.

What I am urging that we should seek to do is to limit those who by their injection of wealth can control what political parties do, and more so to prevent them achieving their objective, which is to ensure that that political party finds itself in power and then calls upon them or reimburses them for the contributions that they have made. We should be moving away from that. It is not too early in our democracy for us to begin to think outside of what we now call the box, and to introduce new ways of doing things. So there will be need for legislation that addresses how we are going to manage the funding of political parties.

It is true that the Constitution provides that the citizen has a right to the enjoyment of his property, and as my colleague, Sen. Dr. Balgobin, had said, you can spend your money in support of any party that you like; but I am saying, let us go outside of that. Let the legislation that is created say thou shalt not contribute and it shall be a criminal offence to be contributing. The political party will find its way to the fore based on moneys contributed by all of us through taxation. And I know I will have to deal with the question of: How do I avoid the machinations of the corrupt who will find a way around everything? But our society will find a way to deal with that.

The State funds will provide for the allowances and salaries of the staff of each of those parties. What would constitute a party? A political party will be established according to certain fixed criteria that the State will impose, the legislation will include. It will provide for proportionate distribution of the funds. So that, for example, among the criteria would be that you—well let me put it differently—that you would be paid, you would receive a contribution in accordance with the proportion of women that you have amongst your administration, your management, the people with disabilities or the young people. So that you may get more money if you are a political party, than another political party who is short on women in the leadership positions or persons with disabilities. It encourages a wider participation of all the members of our society in the politics, and doing it in a transparent fashion which no one can challenge for managing to stay close to the line. This is a civilized society and that would reflect the extent of our civility.

The legislation would provide also that in order to be recognized as a political party, a certain degree of certification would be required. We already have in our society the Elections and Boundaries Commission, and whether or not that is the appropriate body, something similar could have the responsibility for determining whether an association or group of persons satisfies the criteria which have been established by statute, to enable it to receive the benefit of political funding from the fund—let us call it the Consolidated Fund for the time being. The political party, having satisfied those criteria, receives certification.

It may lose that certification if it finds itself contravening the law, going against the prohibitions which the law would establish. The law would prohibit the payment or the soliciting or the funding or facilitating funding to political parties. It would make it a criminal offence with strict liability if a person were to be found guilty or were to be charged with paying or funding or soliciting funds on behalf of such a party. It would prohibit advertisements, testimonials or endorsements during a certain period leading up to elections. It may be the date after the announcement of the election date or after the nomination date; something that will impact strongly on how citizens are going to receive the messages of these parties.

It is not limited therefore to the payment of the funds to ensure that parties can deliver their messages, but it is meant to control the messages that are delivered at that very crucial time, between nomination day, say, and the date of the election. If, as has been the case in some countries, societies, groups, NGOs are formed, as they are likely to, that are supportive of a particular party, there would be a means by which we can monitor what is transpiring out there and determine whether that is in contravention of the law. If you provide a testimonial, call yourself “The Society for the Propagation of Good Government”, and what you are really doing is speaking on behalf of party X or party Y during that period leading up to the elections, the chances are you are going to be committing an offence of strict liability, which will result in some criminal punishment for the offender.

I would recommend that an investigative commission be established, a force with appropriate powers that would monitor the behaviour of these parties, and the penalty for breach would be inclusive of suspension of one’s certification, with the result that you become ineligible to present candidates at elections at any level, be it local government or general elections.

What that would mean for all of us is that we know who are likely to find themselves in government, and we are less likely to find corrupt persons or persons who are corruptible, or worse, persons who have, by their own machinations, determined already where the money, the largesse, is going to be distributed, and who is going to benefit from the contracts.

If we have a system of reporting and investigation of the parties through mandatory accounting, audited accounts on a regular basis, we are likely to find that persons today who find it abhorrent that they should expose themselves publicly to solicit the votes of others, may now find it not so difficult, not so embarrassing, not so intrusive, because the organization to whom they give their support is now managed by a body that is external to the political fray. It is standing way above it and it is controlled by legislation.

Finally, Mr. President, I would urge that such political parties be debarred from owning or being involved in or being investors or managers of media houses, or commercial media businesses. In short, if you were to have control of a media house or have the means by which to do it, then all of this would be a futile exercise. So that we establish clearly in the law—and it is going to ruffle some constitutional feathers because people are going to say we are taking away rights. But we have taken away rights in this country for the wider good, and there is no reason why we cannot take away the right to own the majority shares in a media house. It is not unheard of in company law and, therefore, I would raise that that is what ought to be the case.

The same would apply to the principals of the political parties; that they themselves are to be debarred from owning or managing or being significant investors in a communications business, a media business; so that the control of the mind of the electorate is less likely to reside within the political party that has access to wider financing.

Mr. President, with those few words, I support the resolution. You would note that I have been urging however that it should not be limited, to use its wording, “to govern the financing of election campaigns”. I am more inclined to say that it should govern the business of political parties, be they riled up, prepared, geared up, to face the electorate or not.

If you buy property for a political party, if you house them downstairs, if you provide them with the fax machine and whatever equipment people use today, it may not have anything to do with an impending election campaign, but we all know that there is likely to be a return to the benefactor, and it is that we want to monitor, not prevent, we want to monitor it. We would prefer the State to provide for the real seed funding. The tee shirts and the “toolum and ting”, we will find a way of having you account for it, but the big money that keeps you going, ought to come from the State.

Mr. President, I thank you very much.

ADJOURNMENT

The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh): Mr. President, after that very radical intervention, [*Laughter*] I beg to move that this Senate do now adjourn to Tuesday, March 11, at 1.30 p.m., at which time we will deal with an Act to amend the Securities Act, 2012.

Mr. President: Is there any matter on the adjournment?

Sen. The Hon. G. Singh: I think by mutual agreement there is one matter that qualifies, but the hon. Sen. Subhas Ramkhelawan has asked that it be deferred, having regard that tomorrow is the Hyatt Lime. [*Laughter*]

Sen. Ramkhelawan: No, no, just to clarify, Mr. President, having regard to the absence of the Minister of Energy and Energy Affairs who would be required, I think, to reply to that particular matter. [*Laughter*]

Question put and agreed to.

Senate adjourned accordingly.

Adjourned 4.30 p.m.