

SENATE*Tuesday, May 24, 2016*

The Senate met at 1.30 p.m.

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

Madam President: Hon. Senators, I have granted leave of absence to Sen. David Small who is out of the country.

SENATOR'S APPOINTMENT

Madam President: Hon. Senators, I have received the following correspondence from His Excellency the President, Anthony Thomas Aquinas Carmona, O.R.T.T. S.C.:

“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: DR. KRIYAAN SINGH

WHEREAS Senator David Small 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

UNREVISED

44(1)(a) and section 44(4)(c) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, KRIYAAN SINGH, to be temporarily a member of the Senate, with effect from 24th May, 2016 and continuing during the absence from Trinidad and Tobago of the said Senator David Small.

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 23rd day of
May, 2016.”

OATH OF ALLEGIANCE

Sen. Dr. Kriyaan Singh took and subscribed the Oath of Allegiance as required by law.

JOINT SELECT COMMITTEE (CHANGE OF MEMBERSHIP)

Madam President: Hon. Senators, I have received the following correspondence from the Deputy Speaker of the House of Representatives: May 19, 2016

Change of Membership, Joint Select Committee on Social Service and Public Administration

At a sitting held on Friday, April 01, 2016, the House of Representatives agreed to the following resolution

Resolved:

That Mrs. Glenda Jennings-Smith be appointed to serve on the Joint Select Committee on Social Services and Public Administration, in lieu of Ms. Shamfa Cudjoe.

Accordingly, I respectfully request that the Senate be informed of this

decision at the earliest convenience, please.

Thank you.

Respectfully,

Mr. Esmond Forde MP,

Deputy Speaker

**PUBLIC PROCUREMENT AND DISPOSAL OF PUBLIC PROPERTY
(AMDT.) BILL, 2015**

Bill to amend the Public Procurement and Disposal of Public Property Act, 2015, brought from the House of Representatives [*The Minister of Finance*]; read the first time.

PAPERS LAID

1. Audited Financial Statements of the Police Complaints Authority (PCA) for the year ended September 30, 2014. [*The Minister of Rural Development and Local Government (Sen. The Hon. Franklin Khan)*]
2. Third Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the North West Regional Health Authority for the year ended September 30, 2002. [*Sen. The Hon. F. Khan*]
3. Third Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the North West Regional Health Authority for the year ended September 30, 2003. [*Sen. The Hon. F. Khan*]
4. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the North West Regional Health Authority for the year ended September 30, 2004. [*Sen. The Hon. F. Khan*]
5. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Tobago House of Assembly for the year ended September 30, 2008. [*Sen. The Hon. F. Khan*]

UNREVISED

6. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Land Settlement Agency for the year ended September 30, 2008. [*Sen. The Hon. F. Khan*]
7. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Land Settlement Agency for the year ended September 30, 2009. [*Sen. The Hon. F. Khan*]
8. Consolidated Financial Statements of the National Gas Company of Trinidad and Tobago Limited for the year ended December 31, 2015. [*Sen. The Hon. F. Khan*]
9. Audited Financial Statements of the National Entrepreneurship Development Company Limited for the year ended September 30, 2013. [*Sen. The Hon. F. Khan*]
10. Audited Financial Statements of the National Entrepreneurship Development Company Limited for the year ended September 30, 2014. [*Sen. The Hon. F. Khan*]
11. Audited Financial Statements of the National Schools Dietary Services Limited for the year ended September 30, 2013. [*Sen. The Hon. F. Khan*]
12. Audited Financial Statements of the National Schools Dietary Services Limited for the year ended September 30, 2014. [*Sen. The Hon. F. Khan*]
13. Annual Audited Financial Statements of the Government Human Resource Services Company Limited for the year ended September 30, 2015. [*Sen. The Hon. F. Khan*]
14. Annual Report of the First Citizens Asset Management Limited for the year 2015. [*Sen. The Hon. F. Khan*]
15. Consolidated Financial Statements of the Trinidad and Tobago Bureau of Standards for the year ended September 30, 2013. [*Sen. The Hon. F. Khan*]

16. Fifth Annual Report of the Police Complaints Authority (PCA) for the period October 01, 2014 to September 30, 2015. [*Sen. The Hon. F. Khan*]
17. Annual Administrative Report of the Port of Spain City Corporation for the year 2009 to 2010. [*Sen. The Hon. F. Khan*]
18. Annual Administrative Report of the Port of Spain City Corporation for the year 2010 to 2011. [*Sen. The Hon. F. Khan*]
19. Annual Administrative Report of the Port of Spain City Corporation for the year 2011 to 2012. [*Sen. The Hon. F. Khan*]
20. Annual Administrative Report of the Trinidad and Tobago Bureau of Standards for the year 2012 to 2013. [*The Minister of Trade and Industry (Sen. The Hon. Paula Gopee-Scoon)*]
21. Summary of Recommendations and Conclusions of the Forty-First Meeting of the Council for Trade and Economic Development (COTED). [*Sen. The Hon. P. Gopee-Scoon*]
22. Annual Audited Financial Statements of National Enterprises Limited for the financial year ended March 31, 2013. [*Sen. The Hon. F. Khan*]
23. Annual Audited Financial Statements of National Enterprises Limited for the financial year ended March 31, 2014. [*Sen. The Hon. F. Khan*]
24. Annual Audited Financial Statements of National Enterprises Limited for the financial year ended March 31, 2015. [*Sen. The Hon. F. Khan*]

URGENT QUESTION

Possible Terrorist Attacks (Steps Taken)

Sen. Wade Mark: [*Desk thumping*] Thank you very much, Madam President. Given the recent media reports about possible terrorist attacks, can the Minister state what steps are being taken to address this issue?

The Minister of National Security (Hon. Maj. Gen. Edmund Dillon): [*Desk thumping*] Thank you very much, Madam President. This Government is acutely aware of the message posted on the social media, concerning the possibility of terrorists attacks on malls and other crowded places, and is definitely not taking anything lightly or for granted. Thus, very robust and proactive measures are currently being utilized by our national security and intelligence apparatus, to maintain the level of stability, peace and good order of our society.

This Government also recognizes that the global threat of terrorism has not escaped our shores, and understands its national obligations, in that it possesses the commitment and political will, to ensure that the primacy of public safety and security remains its cardinal priority.

At this particular time, Madam President, all our law enforcement and security agencies are continuing their dedicated work, with the high degree of intensified course of action, to protect our citizenry, institutions, shopping centres and industrial bases from any act of terrorism. We ask all citizens to be vigilant and if you see it, report it.

Sen. Mark: Madam President, through you to the hon. Minister of National Security. What advice or what steps do you think citizens ought to take, in light of these reports that are being circulated far and wide, hon. Minister of National Security?

Hon. Maj. Gen. E. Dillon: Madam President, the advice given to the citizens of Trinidad and Tobago is to be very vigilant, to observe their surroundings, to ensure that they take cognizance of where they are at all times. Security begins with the individual.

Additionally, I would advise them that if see anything suspicious, to in fact, inform the authorities. [*Desk thumping*]

Sen. Sturge: Madam President, through you. Can the Minister indicate whether the shooting of the street pastor in Arouca and the shooting which occurred, I believe, it was last night in south Trinidad at a church, whether it is ISIS related?.

Madam President: No, Sen. Sturge, I will not allow that as a supplemental question.

[Sen. Mark indicates he wants to ask another question]

Madam President: Two questions have been asked, Sen. Mark.

ORAL ANSWERS TO QUESTIONS

The Minister of Rural Development and Local Government (Sen. The Hon. Franklin Khan): Madam President, the Government is pleased announce that it will be answering all questions today, including the question for written answer.

National Gas Company Group of Companies

(Details of)

47. Sen. Wade Mark asked the hon. Minister of Energy and Energy Industries: Could the Minister provide the Senate with details of the monthly board fees and allowances currently being received by Mr. Gerry C Brooks in his various capacities as Chairman/Member on the following National Gas Company Group of Companies:-

- i. National Gas Company;
- ii. National Energy Corporation of Trinidad and Tobago;
- iii. Phoenix Park Gas Processors Limited;
- iv. La Brea Industrial Development Company Limited;
- v. NGC , CNG Company Limited;
- vi. NGC, NGL Company Limited;
- vii. Trinidad and Tobago NGL Limited;
- viii. NGC Petrochemicals Limited;

- ix. NGC Pipeline Company Limited; and
- x. National Enterprises Limited (NEL).

The Minister of Energy and Energy Industries (Hon. Nicole Olivierre): [*Desk thumping*] Thank you, Madam President. The National Gas Company of Trinidad and Tobago Limited, and its subsidiary companies, the National Energy Corporation of Trinidad and Tobago Limited and Phoenix Park Gas Processors Limited, have been classified as Group A companies. Therefore, the chairman of Group A companies receives a board fee of \$10,000 and a travelling allowance of \$1,000 per month.

The other subsidiaries fall within Group C, as per guidelines in the State Enterprises Performance Monitoring Manual. The chairman, Group C companies, receives a board fee of \$6,500, and a travelling allowance of \$1,000 per month.

National Enterprises Limited is classified in Group B. The chairman of Group B companies, receives a board fee of \$8,000 and a travelling allowance of \$1,000 per month. Members, however, receive board fees of \$4,000 and a travelling allowance of \$500 per month.

The fees and allowances payable to Mr. Gerry Brooks, amount in the aggregate to board fees of \$73,000 per month, and travelling allowances of \$9,500 per month. The fees and allowances are in keeping with the existing classification of fees and allowances, for members of boards of state enterprises, which were approved and established by the previous UNC Government, and they are as follows:

1.45 p.m.

- National Gas Company of Trinidad and Tobago Limited: board fee, \$10,000; travelling allowance, \$1,000.
- National Energy Corporation of Trinidad and Tobago Limited: board

fee, \$10,000; travelling allowance, \$1,000.

- Phoenix Park Gas Processors Limited: board fee, \$10,000; travelling allowance, \$1,000.
- La Brea Industrial Development Company Limited: board fee, \$6,500; travelling allowance, \$1,000.
- NGC CNG Company Limited: board fee, \$6,500; travelling allowance, \$1,000.
- NGC NGL Company Limited: board fee, \$6,500; travelling allowance, \$1,000.
- Trinidad and Tobago NGL Limited: board fee, \$6,500; travelling allowance, \$1,000.
- NGC Petrochemicals Limited: board fee, \$6,500; travelling allowance, \$1,000.
- NCG Pipeline Company Limited: board fee, \$6,500; travelling allowance, \$1,000.
- National Enterprises Limited: board fee, \$4,000; travelling allowance, \$500.

Thank you, Madam President.

Sen. Mark: Madam Chair, Madam President, I beg your pardon. Could the hon. Minister indicate whether the policy of having one individual in this instance, Mr. Gerry Brooks, chair all these subsidiaries of NGC: is this a policy that the Government intends to review or revisit or is it now standard policy for one person to chair all these subsidiaries?

Hon. N. Olivierre: Thank you. The hon. Senator may recall that on a previous occasion when I came to this esteemed House, I would have responded on the issue of Mr. Gerry Brooks having been appointed as the chairman of all these subsidiary

companies. If you do not recall clearly, we did indicate that given the state of this group of companies, at the time, we determined that it was in the best interest of bringing the company back into some sort of semblance of proper management and governance that we would have had the chairman of the parent company sit as the chairman of the subsidiary companies, and this is in the interest of really reining in that company, and ensuring that there is proper governance structure throughout the companies. Thank you. [*Desk thumping*]

Sen. Mark: Madam Chair, Madam President, I beg your pardon again. Could the hon. Minister indicate whether the chairman of the NGC who is also chairman of all these subsidiaries is entitled to a chauffeur and is that chauffeur paid for by the State?

Hon. N. Olivierre: Well, I view that as a different question, but I will oblige and respond. In accordance with the State Enterprises Monitoring Manual, the governance of boards and the allowances to board chairmen are identified in that document, and the chairman of boards are not allowed a chauffeur. Thank you.

Madam President: Sen. Mark.

Sen. Mark: No, I am fine, Ma'am.

Madam President: No, question No. 54.

Sen. Mark: Oh, I thought you were asking me for supplemental.

Madam President: No.

Illegal Land Grabbing (Claxton Bay)

54. Sen. Wade Mark asked the hon. Minister of Agriculture, Land and Fisheries:

What is the Government doing to address the incidents of illegal land grabbing that are taking place in Claxton Bay?

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence

Rambharat): Thank you, Madam President, and I thank Sen. Mark for this important question. Madam President, the Office of the Commissioner of State Lands has surveyed the Claxton Bay area along the Cedar Hill Road, east and west, heading in the direction of the Southern Main Road, and has reported that there is some squatting on small parcels and plots in the area as well as on surrounding former Caroni (1975) Limited lands now vested in the State.

The Commissioner of State Lands is in the process of taking the necessary follow-up action to deal with this matter, but patrols and conduct of encroachment surveys are in progress and quit and eviction notices will, in due course, be served on persons found to be in illegal occupation of state lands. The occupiers would be given 14 days to vacate, and failure to do so will cause the Commissioner of State Lands to proceed to the Magistrates' Court to initiate the judicial process for removal of any such squatters.

Hon. Senators should also note that the Ministry of Agriculture, Land and Fisheries has advertised for additional enforcement officers to assist the Commissioner of State Lands in executing his functions with respect to matters of this nature. I thank you. [*Desk thumping.*]

Sen. Hadeed: Through you, Madam President. Mr. Minister, could you indicate to the hon. Senate approximately how many squatters have been identified in those said areas that you spoke about?

Sen. The Hon. C. Rambharat: Madam President, I am not in a position to advise on the specific numbers. All I could say is that based on LSA, the Land Settlement Agency records, across the country there are more than 65,000 squatters on state lands. So it is an issue that the Ministry is aware of and it is an issue that we are dealing with.

Sen. Hadeed: Supplemental question. Has the Minister been able to assist the

various squatters in the different areas as to when regularization to those who were there prior to the cut-off date will be done, and in what time frame do you have in which to give the ease to the squatters?

Madam President: Sen. Hadeed, I would not allow that. That is not a supplemental question that I will allow.

Sen. Hadeed: Okay.

Sen. Mark: Yes. Could the hon. Minister indicate whether he is aware that persons who are in occupation of lands along the Claxton Bay, Cedar Hill area, are being illegally evicted by squatters or persons who claim to be owners of properties in the context of this question of land grabbing? Is the Minister aware?

Sen. The Hon. C. Rambharat: Madam President, back to my original answer, the Commissioner of State Lands is dealing with the issue of squatting, and if it involves fighting amongst squatters and fighting among people who claim to be the owners of the land, the Commissioner of State Lands under the law is the person who is responsible for that and he is dealing with it. [*Desk thumping*]

NFM's Debt to Rice Farmers (Government Action)

55. Sen. Wade Mark asked the hon. Minister of Agriculture, Land and Fisheries:

What action is the Minister going to take now that the NFM's debt to rice farmers is in the million dollar range?

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Madam President, this newly constituted Ministry of Agriculture, Land and Fisheries, under the new PNM Government, inherited a substantial outstanding debt owed by the previous UNC Government to National Flour Mills dating as far back as January 2015. I am pleased to say that, thus far, the Ministry has settled its indebtedness to NFM on behalf of the farmers inherited from the

previous regime in the sum of \$6,178,212.63. Thank you.

**New VAT Regime
(Breaches of)**

56. Sen. Wade Mark asked the hon. Minister of Finance:

What steps has the Government taken to deal with the reported 137 breaches of the new VAT regime?

The Minister of Trade and Industry (Sen. The Hon. Paula Gopee-Scoon):

Thank you. Madam President, the Government, since the implementation of the new VAT regime on February 01, 2016, has ensured that consumers are provided with relevant accurate information on the new VAT rate as well as a detailed list of all zero-rated goods and VAT exempt services.

This information was disseminated to the public by the Ministries of Finance and Trade and Industry through their websites, press releases and print advertisements. Additionally, a hotline was set up at the Consumer Affairs Division of the Ministry of Trade and Industry, and a dedicated team of communication officers was identified at the Ministry of Finance to handle all calls and queries related to the new VAT regime. This communication drive has enabled consumers to make more informed decisions and has reinforced the application of the new VAT regime for the business sector.

The Government has also put in place the necessary systems at the Inland Revenue Division to ensure that the reduced rate of VAT at 12.5 per cent is charged by all VAT-registered individuals and businesses, and the said rate is now being applied to recently standard-rated goods and services.

Madam President, the Government has addressed breaches, all breaches of the new VAT regime that were reported to the Consumer Affairs Division by citizens over the period February 04 to March 08, 2016. The process included notification to the businesses accused of breaches and reinforcement that the new VAT regime must

be properly implemented by all VAT- registered businesses. The Consumer Affairs Division has followed up with the relevant businesses and has confirmed that the identified breaches have been corrected. The breaches included not properly identifying zero-rated and VATable items on invoices, as well as not reducing the rate of VAT to 12.5 per cent.

Madam President, the Consumer Affairs Division of the Ministry of Trade and Industry will also continue to protect the economic interest of consumers by embarking on projects and programmes that will focus heavily on price determination and price monitoring. This has already been initiated with the recent publication of the Supermarket Prices of Items Booklet, which highlighted the results of a price survey on 146 grocery items across supermarkets throughout Trinidad.

Sen. Mark: Madam President, could I ask the hon. Minister of Trade and Industry whether since this question was posed and given what she has just indicated: are there any further breaches that have come to the attention of the Ministry and what measures or actions are being taken by the Ministry to protect consumer rights in this country?

Sen. The Hon. P. Gopee-Scoon: Thank you. I am pleased to inform you that there have been no further breaches reported by the Consumer Affairs Division on their usual mission to supermarkets. There have been no further breaches.

Sen. Mark: Madam President, may I also ask the hon. Minister, how often do the officers of the Ministry of Consumer Affairs visit these supermarkets and conduct surveys to determine whether these supermarkets and those other businesses are keeping in line with the regime that the Consumer Affairs Division has outlined for them to be guided by?

Sen. The Hon. P. Gopee-Scoon: Thank you. The Consumer Affairs Division is

out there in the field, and they continue on a monthly basis to visit at least 40 supermarkets throughout Trinidad and Tobago, and you would notice that these are now published on the Ministry's website as it is quite costly—I think I said in this House—to do so in the newspapers. I think it is costing us about \$60,000 to report in four newspapers. So we have been doing it monthly, and we will continue to monitor both for breaches and for, of course, in general, compliance with the VAT regime and, of course, educating the customers by the publications on the websites and in social media.

Sen. Mark: Madam President, if I may again ask the hon. Minister, citizens of this country, Madam President, who do not have access to the Internet, how do we seek to educate them and to raise their awareness, given what you have just said, because they do not have access but the information is there? It is not in the newspapers, and from what you are saying it is very expensive. How do customers or consumers get that level of consciousness and awareness of their rights?

Sen. The Hon. P. Gopee-Scoon: Every quarter they will be placed in the newspapers, on a quarterly basis.

Sen. Ameen: Madam President, through you to the Minister. Previously it was reported in the newspaper that the advertisements indicated the supermarkets to be visited before they were visited. That, in fact, serves as a warning so supermarkets could get their act together before the officer's visit. Since that initial report, have you changed the method in terms of not sending that warning by advertisements before, so that the supermarkets will be in fact visited by surprise perhaps?

2.00 p.m.

Sen. The Hon. P. Gopee-Scoon: It is on only one occasion, and this is on the introduction of the system of visits to supermarket, that an indication was given to the public that we will begin visits to supermarkets, and that they would have

started in Point Fortin. So it was on that only occasion that notice was given; other than that, they have been going around to supermarkets without notice, except the courtesy of the day in question that we are going to be here. That is it.

Madam President: Dr. Singh.

Sen. Dr. Singh: Thank you, Madam President. Hon. Senator and Minister, my question is, is it considered a breach where suppliers or [*Inaudible*], they raise the price of the item while still lowering the VAT so that they themselves have made more profit? Is that included in your list of breaches?

Sen. The Hon. P. Gopee-Scoon: Member, the Ministry does not engage in price setting by suppliers.

Sen. Dr. Singh: I am aware of that, but I am asking, is it considered a breach? Was it one of the reported breaches where consumers are paying more for a product even though the VAT has been reduced at the market?

Sen. The Hon. P. Gopee-Scoon: Member, the Ministry does not engage in price setting by suppliers.

Sen. Dr. Singh: So therefore it is not a breach?

Sen. The Hon. P. Gopee-Scoon: It is not a breach.

Sen. Dr. Singh: Okay.

Madam President: Leader of Government Business.

**SENATE PRIVILEGES
(MR. GERALD RAMDEEN)**

The Minister of Rural Development and Local Government (Sen. The Hon. Franklin Khan): Madam President, thank you for granting me leave in accordance with Standing Order 30(2) to raise a matter directly concerning the privileges of this House. The matters concerns certain public statements allegedly made by former temporary Senator Mr. Gerald Ramdeen on or around Thursday, May 11, 2016, which were damaging reflections on a temporary Member of this

Senate in the performance of his duty. Reflecting on the exercise by temporary Senator Junkere of his rights to vote in this Senate during the passage of the SSA Bill, 2016, Mr. Ramdeen allegedly to have made the following public statements, among others:

- (1) “Independent Senator Justin Junkère, who voted with the Government on the SSA Amendment Bill in the Senate on Tuesday, was employed by the Attorney General’s Office since 2015.”
- (2) “They understand what was taking place...they understood that the truly Independent Senators were not going to support the”—SSA—“Bill. And if it is that this is what it must come to for the government to pass legislation then we as an Opposition and the Independent Senators consider is in breach of the fundamental rights of the citizens of Trinidad and Tobago, then we are in serious trouble in Trinidad and Tobago...we are in deep trouble”.
- (3) “At no point in time did Mr. Justin Junkère Indicate to the Parliament that he was on the payroll of the Attorney General while this Bill was going through the House, while it was such an important part to be played by the Independent Senators, and seven...seven...of the nine Independent Senators voted against this Bill. It is a matter of public record now how Mr. Justin Junkère voted.”
- (4) “The information was very disturbing and meant that Junkère should not have been allowed to serve on the Independent bench.”
- (5) “The Opposition would also seek to determine whether there was a breach of the Integrity in Public Life Act or whether there is any remedy that resides in the powers of the President, be they constitutional or any other, that he

Senate Privileges
(Mr. Gerald Ramdeen)
Sen. The Hon. F. Khan (cont'd)

may have one.”

Madam President, these statements were widely reported in several daily newspapers. Additionally, the newspaper reported, quote from former temporary Senator Ramdeen as indicated that he intends to write a letter of objection to His Excellency President Anthony Carmona over the appointment of Independent Senator Justin Junkere.

Madam President, parliamentary privilege is not a new concept. In fact, it is a hallmark of parliamentary practice and our democracy. Historically, it was a right designated to protect the right of the king to the service of his advisors. By the 16th Century, Parliament itself was assuming the jurisdiction to regulate privilege, and thus, privilege was increasingly being used to protect the fledgling Parliament from the powers of the Crown. I wish to underscore the word “protect”, Madam President.

Parliamentary privilege therefore remains the bedrock of the working of a Parliament. It offers protection from the interference from whatever source. It safeguards the freedom, authority and dignity of this august House.

Section 55(1) of the Constitution of the Republic of Trinidad and Tobago states, and I quote:

“Subject to the provisions of this Constitution and to the rules and standing orders regulating the procedure of the Senate and House of Representatives, there shall be freedom of speech in the Senate and House of Representatives.”

Madam President, the alleged action of former Senator Ramdeen cannot be ignored. If the statements attributed to him are true, Madam President, we cannot turn a blind eye. To ignore such conduct will signal to all my colleagues on the

Independent Bench, and to everyone Senator here, that we do not possess those sacred rights of freedom of speech and freedom to vote.

Madam President, it is for these reasons that Mr. Ramdeen's alleged reflection upon then Senator Junkère's participation in the proceedings of this Senate, as reported in the press, amounts to actions intended to molest, impeach and intimidate the former temporary Senator. Madam President, it is well established in the laws of Parliament that where actions go beyond the realm of seeking to influence and become intimidation, then Parliament must uphold its right to protect, to prosecute for contempt.

Numerous cases have been found in the UK, Canada and New Zealand. In our jurisdiction, in 2009, the House of Representatives sanctioned UDeCOTT for the publication of a statement in the form of a full-page advertisement in response to a statement made by an MP, concluding that it was a contempt of the House by seeking to intimidate the Member in the execution of his duties as a Member of the House.

Madam President, the Senate must likewise shield its dignity and reprimand any person who engages in conduct of this nature.

As a consequence of the foregoing, I submit that if these purported statements and reflections are true, Mr. Ramdeen has committed a most egregious act of contempt of this Senate, by:

1. Making statements which were intended to intimidate and may have intimidated Sen. Junkère in the conduct of his work as a Senator;
2. Reflecting on the character and conduct of Sen. Junkere in such a manner that brought this Senate into ridicule and odium;
3. Seeking via the media and the Integrity Commission to impeach

former temporary Sen. Junkere in relation to his participation in proceedings in this Senate; and

4. Making entreaties to His Excellency The President Anthony Thomas Aquinas Carmona, ORTT SC, to censure Sen. Junkère for his choice to vote as he did in the Parliament.

It is for these reasons, Madam President, that I move that this matter be referred to the Committee of Privileges of this Senate.

Madam President: Hon. Senators, I received a copy of this privilege Motion via the office of the Clerk of the Senate this morning. All that I am required to do at this stage is to rule prima facie that a case of breach of privilege exists. The decision on whether the matter referred to is indeed a breach of the privileges of this Senate falls to the Committee of Privileges.

Hon. Senators, I have carefully considered this matter, and having regard to the facts presented via the Motion, as well as established parliamentary practice and procedure, I am satisfied that, prima facie, a case of breach of privilege has indeed been made. Accordingly, I refer this matter to the Committee of Privileges for its consideration and report.

DEFINITE URGENT MATTER

(LEAVE)

**Rise in Murder and Homicide
 (Failure of Government to address)**

Sen. Wade Mark: Thank you very much, Madam President. Madam President, in accordance with Standing Order 16 of the Senate Standing Orders, I wish to raise a definite matter of urgent public importance, and that is the failure of the Government to effectively address or deal with the intolerable and unprecedented rising tide of murder and homicide in the country.

The matter is definite because our citizens continue to be slaughtered like animals on a daily basis, which has brought the murder count for the year to a horrific and unprecedented 196 persons as at today's date, and with no end in sight to arrest this ugly scourge which has blotted our once peaceful landscape.

The matter is urgent because despite dedicating three Ministers with different portfolio responsibilities to the Ministry of National Security, the Government is still unable to produce any effective plan to deal with the escalating crime wave, and thereby prevent our citizens from being murdered virtually every day in this country. The matter is of public importance, Madam President, because the outrageous and out of control murder rate has plunged the population into a perpetual state of fear and insecurity, which constitutes not only an attack on their constitutional right to life, liberty, security of the person and the enjoyment of property, but poses a direct embarrassment to our country as it seeks to attract investors and visitors to our shores. Thank you very much, Madam President.

Madam President: Hon. Senators, I am not satisfied that this matter as presented qualifies under this Standing Order.

PRIVATE MEMBERS' MOTION NO. (I)
(RECUSAL OF MADAM PRESIDENT)

Madam President: Hon. Senators, you may recall on the last occasion when this Motion was being debated I made the decision not to preside over said Motion, so, therefore, we will suspend this sitting for 10 minutes so that the Vice-President can assume the Chair. So this sitting is suspended for 10 minutes.

2.12 p.m.: *Sitting suspended.*

2.21 p.m.: *Sitting resumed.*

**CENTRAL BANK GOVERNOR
(CONDEMNATION OF GOVERNMENT'S ACTIONS)
[Second Day]**

Order read for resuming adjourned debate on question [March 22, 2016]:

Be it resolved that the Senate condemn the actions of the Government in its dismissal of the Governor of the Central Bank on December 24, 2015.

Question again proposed.

Mr. Vice-President: The list of those who spoke: Sen. Wade Mark, mover of the Motion, hon. Colm Imbert MP, Sen. Dr. Dhanayshar Mahabir and Sen. Wayne Munro.

The Minister of Rural Development and Local Government (Sen. The Hon. Franklin Khan): Thank you very much, Mr. Vice-President. Again it is an honour to join this debate on this Private Motion moved by Sen. Wade Mark which reads as you have just read out in detail. I will not bother to go in, but it closes off by saying:

Be it resolved that the Senate condemn the actions of the Government in the dismissal of its Governor of the Central Bank on December 24, 2015.

The Central Bank is the most important financial institution in this country. Because of that, the position of the Governor of the Central Bank is a pivotal position in the financial system. It is a position of great influence and requires great trust. It calls for competence, for experience and a measured approach to the job. I want to go on record in this Parliament to say that this Government would not have acted flippantly, nor irresponsibly in such a serious matter. [*Desk thumping*] We would not.

When Sen. Dr. Mahabir spoke, he took some time to outline the roles of the Central Bank, and obviously he is more eminently qualified than I am to do so, but

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let me just recap what some of the main functions of a Central Bank are. First and foremost, as mentioned by Sen. Dr. Mahabir, it is an issuer of notes. It has the sole monopoly on notes issue in almost every country. It acts as the banker, the agent and advisor to the Government. It is responsible for the stability in inflation rates, in exchange rates and in interest rates. It is also the bankers' bank, meaning that it is the custodian of all cash reserves of the commercial bank. It is a lender of last resort and very importantly also it is a clearing agent.

Mr. Vice-President, central banking has a long history. Just for the record, I mean, this is some of my research: Sweden created the world's first Central Bank. I think it was alluded possibly that it was the Bank of England, but the records show that Sweden created the world's first Central Bank, the Riksbank, in 1668. The Bank of England came next in 1694. Napoleon created the Banque de France in 1800. Congress established the Federal Reserve in 1913. The Bank of Canada began in 1935. The German Bundesbank was re-established after World War II and, very importantly also in 1998, the European Central Bank replaced all Central Banks under the Eurozone. So basically central banking is something that is global and it has very, very serious connotations to the financial stability of any country.

The Central Bank of Trinidad and Tobago was established by Act 23 of 1964. Mr. Vice-President, from 1964 to present, as a country we can boast of having some of the most profound thinkers acting as Governor of the Central Bank. We started with Victor Bruce, immortalized Tobagonian, is now in the financial complex in Tobago, the Victor Bruce Financial Building. We went on to somebody of the calibre of Dr. Euric Bobb, a national scholar coming from Presentation College, San Fernando. We had Winston Dookeran, politician turned Central Banker, returned to politics, and now I guess he is a university lecturer and

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is charting something called the Caribbean—it is a book I got recently from the university. So Victor Bruce, Euric Bobb, Winston Dookeran and Ewart Williams, four stalwarts in the financial system of Trinidad and Tobago.

Sen. Mark: You left out one. Willie Demas.

Sen. The Hon. F. Khan: Yes, Willie Demas, and Ainsworth Harewood and a couple others, but I am just summarizing the key guys. Mr. Vice-President, we have to understand that this is not an emotional issue, because banking is not emotional. The Central Bank and what it does and what it cannot do and what it has to do is governed by legislation. It is not governed by what we like or what we do not like, what we prefer or what we do not prefer. It is governed by legislation.

The Central Bank Act, the Exchange Control Act and the Financial Institutions Act are the three pieces of legislation that have the greatest bearing on the operation of the Central Bank. The Central Bank Act and this legislation determine how the Governor is appointed, how the Governor can be terminated and it defines in clear terms the relationship between the Governor and the Minister of Finance. It is not what we want the relationship to be or what we perceive it to be. The relationship is clearly defined in law.

I will read into the records, Mr. Vice-President, how the Governor is appointed. Section 7 of the Central Bank Act states as follows:

- (1) “The Governor, Deputy Governors and other directors shall be appointed by the President by instrument in writing.
- (2) The Governor shall be appointed for a term of five years.”—the Deputy Governor, so on and so on—“shall be appointed by the President...”

Minister Imbert when he was here the last time around explained when you say

“President” without any further qualification it means the Cabinet. So the Cabinet appoints the Governor.

How can the Governor be terminated?

“The President”—here meaning the Cabinet—“may terminate the appointment of the Governor...”—that is section 12 of the Central Bank Act—“or a Deputy Governor or any director if the Governor, Deputy Governor or any director—

- (a) becomes of unsound mind or incapable of carrying out his duties;
- (b) becomes bankrupt or compounds with, or suspends payment to, his creditors;
- (c) is convicted and sentenced to a term of imprisonment;
- (d) is convicted of any offence involving dishonesty;
- (e) is guilty of misconduct in relation to his duties;
- (f) is absent, except on leave granted by the Board, from all meetings of the Board held during two consecutive months or during any three months in any period of twelve months;
- (fa) fails to comply with section 16(1);
- (fb) contravenes any provision of any prescribed Code of Ethics in respect of which he is liable to termination of his appointment;
- (fc) becomes disqualified for holding office by virtue of section 9; or
- (g) fails to carry out any of the duties or functions conferred or imposed on him under this Act.”

Let us now deal with the relationship with the Minister of Finance. This idea that the Central Bank Governor is an independent republic is not so in law. He obviously has to interface, because these are the two key financial players in

the economy. One who is part of the Executive; one who runs the Central Bank and has some quasi-autonomy and independence, but not total independence, because it is controlled by the Executive through the Minister of Finance because the Cabinet appoints. The Cabinet can terminate based on the grounds that I have just said, and the law now clearly defines the relationship between the Central Bank Governor and the Minister of Finance.

Part VI:

“Relations with the Government

45. The Bank shall act as banker to the Government and shall be entrusted with such Government banking business in Trinidad and Tobago and abroad as may be assigned to it by the Minister.”

Check how many times the Minister is here:

“as may be assigned to it by the Minister.”

So it cannot conduct banking business unless it has been assigned by the Minister.

Section 46:

“The Bank may make temporary advances to the Government on such terms and conditions as may be agreed upon between the Bank and the Minister.”

It continues:

“48 The Bank shall on terms and conditions as may be agreed between the Minister and the Bank, act as an agent for the Government in the payment of principal and interest and generally in respect of the management of the public debt.”

Most importantly, 49:

“The Bank shall keep the Minister informed of the monetary and banking policy pursued or intended to be pursued by the Bank.”

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This is fundamental to the legislation:

“The Bank shall keep the Minister informed of the monetary and banking policy pursued or intended to be pursued by the Bank.”

They have to have regular meetings, and the Minister of Finance must be briefed on monetary and banking policy.

2.35 p.m.

“50. The Minister may, after consultation with the Governor, issue to the Bank such written directives of a general nature as may be necessary to give effect to the monetary and fiscal policies of the Government.”

The Central Bank does not get up one morning and make fiscal and monetary policies for the country. An Executive is elected into office to do just that. I repeat 50.

“The Minister may, after consultation with the Governor, issue to the Bank such written directives of a general nature as may be necessary to give effect to the monetary and fiscal policies of the Government.”

The Central Bank does not make policy. It is the Government through the Cabinet that makes policy for Trinidad and Tobago. That is why we face the people. That is why you are elected into office, because you offer them a manifesto, you offer them policy as to how you want to take this country forward. So this fiction that was articulated by Sen. Mark, that the Central Bank Governor is independent to do whatever he wants, it is not so. It is false, because it is governed by legislation. So you cannot have a “bravado” Central Bank Governor. Let us go chronologically now with what transpired. As I said, this matter may go to court, so I do not want to jeopardize anybody's position as it relates to that.

On December 4, 2015 the feature address by the Governor of the Central

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Bank, on the Fifth Monetary Policy Forum, and the Central Bank Governor went on for the first time to indicate to this country, whether right, wrong or indifferent, and I quote from his speech:

“Four consecutive quarters of decline in real GDP in 2015 means Trinidad and Tobago is now officially in a recession.”

Nothing is fundamentally wrong with that statement, you know. But to announce to the nation that your economy is in recession, and without having the courtesy, nor following the law, to indicate to the hon. Minister of Finance, that this is what you are going to say—especially since the statistical information to back that was always in question—because there is no CSO in Trinidad. So you could have probably coined it in a more guarded phrase, because when a Central Bank Governor, when the Director of Reserves in America—the Federal Reserves—speaks, when Greenspan spoke, I mean the world trembled. So, here you are making such a fundamental statement:

“The Bank shall keep the Minister informed of the monetary and banking policy pursued or intended to be pursued by the Bank.”

So, obviously ladies and gentlemen, this was bravado. I say no more.

And then comes another issue that was raised by the Minister of Finance during that period the Central Bank:

“At its December 2015 meeting, Central Bank's Monetary Policy Committee (MPC) agreed to”—increase—“the ‘Repo’ rate”—for the seventh consecutive time—“by 25 basis points to 4 $\frac{3}{4}$ percent.”

It went on in December to increase the Repo rate by 25 basis points to 7 $\frac{3}{4}$ per cent. All these are monetary policies. You have to inform the Minister of Finance. So, the Governor of the Central Bank, for whatever reason known to

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himself only, never did that. And then came the other major transgression, which was the announcement of users of foreign exchange, and it goes like this, the Central Bank statement. And hear the tenor of the language. Hear the tenor of the language, Mr. Vice-President.

“In the month since Central Bank”—and I quote from the speech here—
 “made its US \$500”—million—“intervention, I’ve been asked about 500
 million times...”

—you hear the rhetoric. Rhetoric does not come from a banker, you know. A banker has stripe suits, well tucked away tie, Wall Street guys, and they are measured in what they say. [*Laughter*]

“In the month since”—hear him—“Central Bank made its US \$500”—
 million—“intervention, I’ve been asked about 500 million times, where has
 all that money gone.”

That is not the word of a banker.

“Here’s the answer”—and he went on to indicate—“The retail and
 distribution sector is the most voracious consumer of foreign exchange.”

—and then he went on to list all the people who were—[*Interruption*]

Hon. Senator: Companies.

Sen. The Hon. F. Khan: Companies who were—

Sen. Sturge: In the interest of transparency.

Sen. The Hon. F. Khan: Not in the interest of transparency. Now, here is where it comes “curiouser” and “curiouser”. This statement was made on December 4th. On December 10th on the Central Bank website, the Central Bank statement is, and I quote:

“The disclosure of information on the local business community’s use of

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foreign exchange was lawful, necessary and in the best interest of T&T's financial system.”

That was a Central Bank post on December 10th, six days after the statement was made. If you go to the Central Bank website now and you try to download this address, it is downloaded without any reference to names. And there is a caption here on the front page, we see it:

“Information related to individuals and companies has been removed from the original text”—dated—“(December 30, 2015)”

Obviously, the Central Bank has report its position, and this text has not been posted in its entirety, because within their own board of directors they must have come to the conclusion that this was a breach of the law. Then came the complaint from the Trinidad and Tobago Camber of Industry and Commerce, the Neal & Massy Group, Mr. Gervais Warner here; we had our legal team work over the weekend, et cetera, et cetera.

“He could share your personal information, or my personal information. I think it's a really dangerous precedent and anyone in T&T should be concerned about it.”

You had letters written to the Minister of Finance from Smith Robinson, from Massy Group, from, you name it. They all complained, indicated that they interpret it to mean a breach of the law, and let us see what the law states. Section 56 of the Central Bank Act states:

“Except in so far as may be necessary for the due performance of its objects, and subject to section 8 of the Financial Institution Act, every director, officer and employee of the Bank shall preserve and aid in preserving secrecy with regard to all matters relating to the affairs of the Bank, any

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financial institution or person registered under the Insurance Act or of any customers thereof that may come to his knowledge in the course of his duties.”

It is clear, Mr. Vice-President. It is extremely clear that that section of the law was broken. If you go down now to the Financial Institutions Act, section 8, Confidentiality; Financial Institutions Act:

“No director, officer or employee of the Central Bank”—hear how specific—“or person acting under the direction of the Central Bank shall disclose any information regarding the business or affairs of a licensee or any of its affiliates or information regarding a depositor, customer or other person dealing with a licensee, that is obtained in the course of official duties.”

How much clearer you want it than this? Mr. Vice-President, how much clearer you want it than this?

Section 44 of the Exchange Control Act states:

“No person who obtains information by virtue of this Act shall disclose that information otherwise than in the discharge of his functions under this Act or for the purposes of any criminal proceedings; but nothing in this subsection shall apply to information lawfully received by a member of the public in the course of an ordinary transaction between such person and the Bank.”

So, you had a breach of the Central Bank Act, the Exchange Control Act, and the Financial Institutions Act.

Sen. Gopee-Scoon: So, the debate is finished then?

Sen. The Hon. F. Khan: The debate is finished. It really is. And I just want to—section 56 of the Central Bank Act was breached, section 8 of the Financial

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Institutions Act was breached, section 44 of the Exchange Control Act was breached.

Let me make a fundamental statement here. And, I refer to Sen. Dhanayshar Mahabir's comments. I think he had a very, very good debate, we were enlightened by the depth of his analysis. But, he did conclude that he supported the disclosure, because it was in the public interest. And, that is his right. I make no further comment on that. But having said that, Sen. Mahabir will know that in academia, the biggest non-violent crime in academia is plagiarism. In banking, the biggest offence you can commit is breach of confidentiality. Look Sen. Shrikissoon is shaking his head. [*Desk thumping*]

The biggest transgression you could have in the banking system is a breach of confidentiality. That will collapse a banking system. [*Desk thumping*] That is why you have securities and exchange. That is why you have Securities and Exchange Commission for insider trading, because information is privileged at that level. It can collapse a banking system. And when you play flippant with confidential information in the way that this thing has happened there is absolutely no course except to take the action that we took. [*Desk thumping*]

And it is all well and good to say, in the public interest. And there is something called the public interest, but the legislation is crystal clear—to quote Mr. Manning, “it is pellucidly clear”, okay, as to how we need to operate in situations like these. So, it is my thesis and it is the view of this administration, that the Minister of Finance had to act, the Cabinet had to act, and we are a responsible organization, we are a responsible Government [*Desk thumping*] and we must act to keep the stability of the financial system intact. Because, there is nothing—confidence is what has destroyed the exchange rate, you know, or is

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attempting to destroy it. Because the bank continues to tell you we have reserves for 11 months.

But, yes, there is a drain on the foreign exchange, and the reason for that is because the banking system is based on confidence. Confidence from since Wells Fargo had a stage coach dropping money all over the United States of America. The Wells Fargo Bank is still one of the largest banks in America. And this is at the crux of the financial system, and we cannot play flippant in dealing with matters like that. Anything else you might get away with it, but not in banking. Not in banking.

2.50 p.m.

And finally, as I said, I would not be speaking too long on this thing because I am just making these basic points, because it may become a sub judice matter because the former Central Bank Governor has written pre-action protocol letter and we will see how that goes on.

But let me just conclude, Mr. Vice-President, we are talking about the Central Bank and political interference. And let me show you what is political interference and what is subterfuge by the United National Congress. When the UNC came into power in 2010, I think in September 2010—no, May 2010. In November of 2010—in May 2010, the Governors of the Central Bank were as follows: Ewart S. Williams, Chairman of the Board and Governor; Miss Joan John, Executive Director; Dr. Shelton Nicholls, Executive Director; Miss Alison Lewis, former Permanent Secretary in the Ministry of Finance, non-executive; Miss Barbara Chatoor, non-executive; Miss Amelia Carrington, Senior Counsel, non-executive; Mr. Norris Campbell, non-executive; Mr. Carlyle Greaves, non-executive; and Prof. Selwyn Cudjoe. There were six non-executive members

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and three executive members. Nine members on the board of the Central Bank.

It is reported that in November 2010:

“Mr. Dookeran reportedly directed non-executive directors to resign...”

Remember that? Whether you want to accept it or not.

“...but they resisted, and sought the opinion of Senior Counsel who advised against his instructions.

An attempt was then made to have the President replace directors—Dr. Selwyn Cudjoe, Carlyle Greaves, Amelia Carrington and Barbara Chatoor—whose terms expire in 2012, but this failed.

The Minister, in an attempt to tip the balance”—okay?—“then forwarded the names of Robert Mayers, Dr. Roger Hosein, Larry Lalla, Rabindranath Moonan”—you know that name? Rabindranath Moonan, CAL, gone to HDC, he was proposed for the Central Bank initially too, you know—“and Shida Bolai to the President.

Mayers and Bolai publicly declined for their names to be advanced, and the Minister succeeded in getting Hosein and Lalla to replace retiring director Alison Lewis, his own Permanent Secretary, and accountant Norris Campbell.

Sources reported that the Ministry of Finance prepared a list of ten new members for the board.

This would have brought the bank's board to 19...tipping the balance overwhelmingly in favour of the Minister's chosen team.

...however”—they—“settled finally on seven new members—Steve Seetahal; Inshan Ramsaroop; Mahindra Sunil Maharaj; Beverly Khan; Wayne Tikah; Neil Mohammed and Joseph George...”

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And hear this statement:

“—persons virtually unknown in the financial community.”

Sen. Mahabir, you know any one of these fella names or ladies? They did not even offer the distinguished economist a position on the Central Bank's Board.

Sen. Dr. Mahabir: I would have declined.

Sen. The Hon. F. Khan: Okay. But at least give you the opportunity to decline. That is the level of foolishness that went on with the UNC Government, okay? And you know why, Mr. Vice-President? I will tell you why, to tell you what is called subterfuge. And I make no apology for that statement, subterfuge. You have a board of a Central Bank, you cannot replace them like how you would replace ordinary boards. So you have to let them serve out their term, the President would not revoke their appointments. You will just accept that. But hear what section 5 of the Central Bank Act says:

“The Bank shall be managed by a Board of Directors comprised of a Governor, not more than two Deputy Governors and not less than six other directors, two of whom may be public service directors.”

But there is a lacuna in the law. Because most Articles of Association and even statutes for statutory authorities, organizations that are formed by statute, they give you a minimum and they give you a maximum. But there is no maximum here. It just says that it must have a minimum of no less than six directors. So they went ahead now and appointed seven new directors to outvote the existing directors so you ended up with a situation—

Sen. Baptiste-Primus: The largest board in the world, Central Bank Board.

Sen. The Hon. F. Khan: The largest Central Bank Board in the world. The board at—I will give you the information here now.

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On September 30, 2011, the Board of the Central Bank consisted of 17 people because of subterfuge, because they used a lacuna in the law. That is different when you are dealing with legislation, when you are using legislation for governance; this is just a lacuna in the law. And hear what it says, 17 members of the Board of the Central Bank:

“By comparison, the US, with a population of 300 million, maintains its system through the Federal Reserve Board comprising five members;”

Little Trinidad and Tobago has 17:

“The European Central Bank”—formed in 1980-something, I think I just said—“responsible for 17 countries...with a population spread of 500 million,”—people and the whole Eurozone, the European Central Bank—“manages its currency through six members.”

So five at the Federal Reserve, six in the European Central Bank:

“The Bank of England”—operating—“since 1694, has 12 directors;”—the highest—“Bank of Canada, responsible for...100 banks and 700 credit unions, has 14 directors”—but nothing close to 17.

Fourteen, twelve, six and five.

So, Mr. Vice-President, I just brought this to the attention of your good self through you today, the honourable Senate and to the national community, this is what you call political interference in the bank. That is political interference. [*Desk thumping*] Where is the independence that you are now purporting, because a particular Governor who clearly would have breached certain regulations and, in fact, was “being bravado” with his statement, certain actions were taken against him and you come here now to file a Motion asking the Senate to condemn the Government's action. This is what the Government should be condemning. This

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is why the people of Trinidad condemned you; that is why you all lost the election.

Mr. Vice-President: Hon. Leader of Government Business you have five more minutes.

Sen. The Hon. F. Khan: Okay. I do not plan to use it. So I will wrap up, I will wrap up. Mr. Vice-President, I have clearly indicated that the Government did not act flippantly nor irresponsibly in the Cabinet informing the President to terminate the appointment of the former Governor of the Central Bank. I have clearly indicated what laws were breached and how in our opinion he put the whole financial system at risk because confidentiality is at the core of the financial system in any democratic country in the world. [*Desk thumping*]

And just as a matter of comparison, I brought to the attention of the Senate, through you, Mr. Vice-President, certain actions that were taken by the then Minister of Finance and the United National Congress Cabinet, where they tried subterfuge in appointing one of the largest boards in the history of Trinidad and Tobago in terms of the Central Bank, in particular; and when I compare it to the statistics of the Federal Reserve, the Bank of England and the Bank of Canada and the European Bank, it was really an abuse of process to say the least.

So, Mr. Vice-President, it is obvious that this side of the Senate will not be supporting this Motion and I encourage most of the Senators on the Independent Bench, in particular, to do likewise. I thank you very much.

Sen. Gerald Hadeed: [*Desk thumping*] Thank you very much, Mr. Vice-President. I stand in support of the Motion of my colleague and to refute quite a bit of what the last speaker, the hon. Minister, proposed to the honourable Senate.

First of all, who is Jwala Rambarran? He was well qualified for the position that

he was kicked out and fired. He was very well qualified. The previous Governors of the Central Bank: first of all, it was John Pierce, 1964 to 1966; Dr. Alexander McLeod, 1966 to 1969; Victor Bruce, 1969 to 1984; Dr. Euric Bobb, 1984 to 1988; William Demas, 1988 to 1992; Thomas Ainsworth Harewood, 1992 to 1997; Winston Dookeran, 1997 to 2002; Ewart S. Williams, 2002 to 2012. Every single one of these honourable gentlemen served out their full term of office. [*Desk thumping*] Not one of them was fired or had cause to be fired. None of them, why? Why? I would say, the only one that was fired was Jwala Rambarran. Why? And I will give you the reason why.

As early as April 2014 in this honourable House, the then Opposition Member of Parliament, Colm Imbert signalled that Jwala Rambarran was not suitable for the job and he was an on-the-job trainee. This was long before the now Government came into office.

Rambarran reminds me of a game that is called skeet shooting. I do not know if you know what that is about. You have a clay pigeon and you have a line of people waiting with shotguns and you fly the skeet and everybody shoot at the clay pigeon. Well, Rambarran was a clay pigeon. Why? Because all of the members, a lot of the members of the business community lined up against him. Why? Because he had the good sense to advise the country of the questions the people were asking—who were the users of the foreign exchange? [*Desk thumping*] I do not buy, Minister, of what you talked about of the members of the community who are customers of the bank.

3.05 p.m.

They are customers of the commercial banks, they are not customers of the Central Bank. [*Desk thumping*] So if a complaint had to be made, it was the

commercial banks to make the complaint that the Governor of the Central Bank did something wrong. Nobody in Trinidad and Tobago, except, possibly, the Minister of Finance, was surprised by the statement that the country was in a recession. Nobody but him, but everybody knew what the Governor of the Central Bank was saying was the honest truth. [*Desk thumping*] He got punished for speaking the truth.

In an article on Sunday, November in the *Guardian*, 2014, the question is:

“Where are the US dollars going?”

Where is it going? And the TTMA asked questions and I will quote some of it:

“Speculation is a real problem as the global currency exchange is largely unregulated.

On the issue, Investopedia says: ‘Despite the 20 per cent increase in daily forex volumes between 2007 and 2010, commercial transactions by corporations and governments actually declined by 10 per cent over this period.’”

And they went on to say:

“One can see how the activity can destabilize economies if not properly regulated, as this kind of trade has the potential to cause wild fluctuations in the value of a currency...”

What I am getting at is when you have a Minister of Finance interfering in the daily workings of the Central Bank, you are going to find yourself in the situation where people would lose confidence in the institution. [*Desk thumping*] What everybody also knows is that the policies being put in place to deal with the situation are not working and are unworkable. The then Governor Rambarran had to answer questions on a daily basis of the shortage of foreign currency for the

business community to do transactions.

Everybody was asking him where is the money? He keeps putting in the money, keeps putting in: Where is the money? The Central Bank puts in regularly at intervals what the oil companies do not sell to the commercial banks. So what does he do? He is caught in a position of trying to defend his position of where the money is going. With no confidence in the economy, you will get hoarding of your foreign exchange. Nobody will sell foreign exchange to the bank because they are worried that when they want to get foreign exchange, they cannot get foreign exchange. This puts our currency under strain and there is no question that the pressure would get worse. Without credible policies, we will lose control of our currency and it will sink beyond any hope of salvage. I pray that this Minister of Finance stops interference. Stop interfering with the workings of the Central Bank. [*Desk thumping*]

Now more than ever, we need international support and that requires confidence in our financial institutions. Recently, the head of bp said we have to stop bashing foreign investors. It seems to me that every day, something appears in the papers condemning foreign investors coming to Trinidad to invest their money. We must stop this. Yet, this is the very time that the Minister of Finance has chosen to act outside of his delegated powers, outside of his remit, outside of the mandate, to get the Governor of the Central Bank fired, not for cause, not for logic, not for reason other than political victimization. [*Desk thumping*] He was like a clay pigeon waiting to be shot down. That is what they had prepared for him, he had no chance. No chance whatever of survival.

We all know that the dismissal of the Governor of the Central Bank was nothing more than political victimization. In fact, in June 2014, then Opposition

MP, Colm Imbert, contributed to a motion on the Government's failure to deal effectively and with the on-going foreign exchange crisis, described Rambarran as an on-the-job trainee. Imagine an engineer who built a wall that ended up in the Diego Martin River and a building in Grenada—[*Interruption*] a stadium in Grenada collapsing, calling a professional an on-the-job trainee.

The then Opposition Member Imbert accused Rambarran of having no experience managing a large operation and speaking the truth, he said:

“I am speaking the truth and”—I am—“going to take full responsibility for that. The Governor of the Central Bank has introduced a system where 90 per cent of the available foreign exchange is auctioned to 12 foreign exchange dealers including foreign exchange dealers who have a very small customer base...giving large sums of foreign exchange to financial institutions that don't need it...”

The source is Radica Singh, *Trinidad Guardian*. I am quoting from the *Trinidad Guardian*. This kind of sniping in the dark creates a corrosive environment, a poisonous environment which affects, not only our Central Bank but all of our financial institutions.

Mr. Vice-President, I am aghast as a businessman to know that when you take away the credibility of an institution, it takes decades to rebuild it. [*Desk thumping*] One must always work with the establishment and try to ensure whatever you do in your position of authority, it is not done with vengeance or malice. It must be done in a way to build confidence. It must be done in a way to bring one another together. Our problem here in Trinidad and Tobago for all to see is the division. The division that we have for one another, even here in this Chamber. Why? We are here to do the work of the people; the people who have

asked us to come and work for them because they all cannot fit in this Chamber. Each one of us represents a segment of the society but when we speak to one another, we must work in the benefit of all. This is what we need to do.

And by singling out and creating an environment where it is either me or you, would not work. Do not care how many governments and how many governments go, many will come after them, but we must all remember, do not single out institutions to destroy the institutions. They are part of the Constitution of this country. [*Desk thumping*]

The independence of the Central Bank was severely and seriously compromised and the situation has gotten much worse. People cannot get foreign exchange today to pay their bills. They are rationing foreign exchange at \$100 or \$200 when you go to the bank. What causes this imbalance? I will tell you. Too few business people need too much at the expense of the balance of the people in Trinidad and Tobago, too few, and this is all that Rambarran was pointing out. A handful of commercial merchants who bring no foreign exchange back into the country but send it out to make a profit. How many of them that he has named to date can say, I have sold this and I have gotten foreign exchange to return to this country to ensure that we have a replenishment of what they are spending. How many? I would say almost none of them because when you look at them, it is either food, motor car, medicine, whatever, but they are bringing nothing back in and they are consuming a third of all the foreign exchange that passed through this country in the last five years. That is the amount of money. The business community—"yuh wah meh call the names?"

Hon. Senator: "Yuh bad talking them."

Sen. G. Hadeed: "Yuh wah meh call the names?" I am speaking the truth.

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Mr. Vice-President: Senator, please address the Chair.

Sen. G. Hadeed: Sorry, Sir. I am being distracted and I like to answer the distractions. The Minister of Finance seems, at this present time, to be the de facto Governor of the Central Bank at this time. [*Desk thumping*] It appears to all.

I want to challenge the Minister to publish—the Minister of Finance that is—the opinion he received from the various different sources he stated on December 24, 2015 and he stated:

“The Cabinet’s decision was based primarily on legal advice from both internal and external counsel, including senior counsel, who advised that the disclosure by the former Governor of the names of the largest users of foreign exchange in Trinidad and Tobago and the amounts of foreign exchange that they used was a breach of section 56 of the Central Bank Act and section 8 of the Financial Institutions Act.

In addition to this, Cabinet took note of the fact that there was a need to restore confidence in the confidentiality of the banking system and in the governance of the Central Bank.”

The banking system, not the Central Bank. The banking system is different to the Central Bank. You lose confidence in the banking system when you have a Minister of Finance interfering and calling out FCB on issues relating to one of his own Ministers. That is when you lose confidence, Sir, in the banking system. “He preach one thing and practice another thing.” The only people who have lost confidence in the head of the Central Bank was the Minister of Finance. He is the only person. Every person who replaced the Governor, even the person who replaced the Governor said he supported the position taken because it was a bank decision and not just the Governor.

3.20 p.m.

I will quote something here. It is good to know. This was published on Sunday, November 24, and the source is the *Guardian*, Natalie Briggs. They went on to say:

“Farrell had also questioned the move to allow non-financial institutions so much access to US currency when they did not have the ‘strong’ ‘know your customer’ and ‘anti-money laundering procedures’ of the larger...banks. According to former deputy governor, another question of where the foreign exchange is going arises.

The CB provided...”

This is in August 2014.

“The CB provided some answers in their Economic Bulletin of August 2014.”

This is long before Jwala Rambarran made the statement. This is 2014, what I am going to quote here:

“Of the injections so far, purchases were made by the following:

- 30.9 per cent of US \$1.038 billion was used by the retail and distribution sector;
- 22.4 per cent or US \$752.9 million by credit card centres;
- 14.1 per cent or US \$474 million by manufacturing; and
- 8.1 per cent or \$275 million went to automotive dealers.
- Over-the-counter purchases by individual members of the general public amounted to purchases worth 2 per cent—a mere 2 per cent—“or \$67 million.

Despite the amounts, there are still problems. An informal check by Sunday

BG with customers in lines at banks last week revealed that some customers were still not able to purchase as much US dollars as they would like. In its release on February 28, 2014 the Central Bank said that it would conduct a 'special sale' of US \$50 million and that these funds were being released to facilitate 'trade related demand, especially for small and medium enterprises.'"

That was August 2014. Nobody said anything then. Why? No election was in the air; nobody. They did not want to have an issue with anybody. This was published by the Central Bank. We heard nothing from the business community, the trap shooters. We heard nothing from the trade unions. We heard nothing from the then Opposition, who is now the Government. We heard nothing. But all of a sudden, election in the air, April, statements were made about Rambaran being an on-the-job trainee by the then Opposition Member. Lo and behold elections are won and up goes the clay pigeon and the shots are fired. Who claim the clay pigeon? The Minister of Finance. I claim the shot. I shot the sheriff.

Let us try to understand how by publishing the names—I went on to say: now that the Minister of Finance is so confident about the advice he got to fire the Governor then publish it. Let us also get access to the legal advice and see if it was objective. [*Desk thumping*] Let us see if that is really what was said. He is known, this Minister of Finance, to stretch his imagination, you know. Let us try and understand by how publishing the names of the organization which use up our country's scarce resources in any way undermines the operations of the Central Bank. Our position is that what was done was consistent with the bank's mandate and its commitment to public interest, not the Government's interest but the interest of all the people of Trinidad and Tobago. [*Desk thumping*]

Today people line up, wait and beg for a few dollars and nobody says a word. They all fully believe that the big shots are reloading and hoarding the foreign exchange, so they get nothing. We here demand that we get the information so that the public could know the truth about the opinions that that Minister of Finance received. [*Desk thumping*]

The Act states that the bank should only preserve secrecy where doing otherwise would hurt the operations of the bank's policy. It is very clear that the bank's policy has not been hindered by the Governor's shedding of light and clarity on the matter.

Everyone except the Minister's friends can see that this is a hollow ruse, a clear message to the outside world at the time, of doubt and uncertainty in Government's policy that if the leaders of our principal institutions said it as it is they will face the sack. They will face the sack from this Minister of Finance. People are afraid to speak. When you stifle speech you impede the democracy of your country. People then go into hiding and plan and plot behind your back. Let democracy prevail. [*Desk thumping*] Open the information that you have received, that you keep cloistered for yourself and your friends. Let the country know what these so-called opinion lawyers have given you, so that we would not have to stand here and condemn the information he has that nobody else has.

I am saying do not stifle information that could be made freely, so that the people can understand. The people's money is what you are guarding. It does not belong to any of us in this House. It belongs to the people and they must know how the money is being spent. [*Desk thumping*] It is their duty to know it.

And I stand here with my colleague and support the Motion and hope that we get full support from that side, this side and the Independent Bench. Thank you

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very much. [*Desk thumping*]

Sen. Taurel Shrikissoon: Thank you, Mr. Vice-President, for allowing me the opportunity to join into this debate. I would like to say, as I begin this afternoon, and having listened to the contribution of the hon. Sen. Khan and Sen. Hadeed, the two key words that are being presenting here and from Sen. Khan's contribution is that of confidence and Sen. Hadeed's contribution is that of institutions and I think both Senators would have really hit at the heart of the matter, as it pertains to Trinidad and Tobago, the development of Trinidad and Tobago, the confidence in the systems we have, and the confidence more so in the institutions that pertain to the development of Trinidad and Tobago.

As everyone in this honourable Senate would know that I have been making a clarion call to all stakeholders for the development of institutions in Trinidad and Tobago because, as I have showed before, in several reports and more so the global competitiveness report, the institutions in Trinidad are really lagging behind, in terms of supporting our competitiveness and growth. So in this light, I would like to contribute to this debate, in terms of the development and confidence of the institutions in Trinidad and Tobago.

Here before this honourable Senate today is a situation involving the Government and the Governor of the Central Bank. My contribution here today serves to ventilate what I would call or refer to as the facts of the matter as available to me, an individual. And, therefore, I want to pay some special attention to the timelines over which these events occurred.

I just want to remind everyone that it was on Friday 13th July, 2012, that the then Governor, Jwala Rambarran was installed as Governor and in May 2014, it was that Governor who introduced a new system of distribution of foreign

exchange, and it was around that time of introducing that new system that the public began to make a public outcry indicating that adequate levels of foreign exchange were not accessible at the commercial banks. And, therefore, a lot of it was ascribed to the changing of the system at that point in time.

The reality of the situation is that, in 2014, just about \$6 billion/\$7billion was requested by the public for trade, of which the banking system could have only collected five and a half billion, therefore leaving the Central Bank with the only option to intervene with a whopping \$1.7billion in foreign exchange in that year, 2014.

What occurred in 2015 was quite similar, with the demand for foreign exchange being \$7.3 billion, the highest ever in the country, and the purchases by the commercial banks just being about \$4.9 billion, leaving a gap of US \$2.6billion. Where would this US \$2.6 billion come from? It was Central Bank who was again intervening.

So the problem here was really a demand and supply situation, where the demand for foreign currency outstripped the supply and, therefore, it required Central Bank's intervention. The problem here was not, as I said before, in the functioning of the system that the Governor introduced but a mere fact of supply and demand. And I believe, because of the public outcry, it was because of this reason that the hon. Minister of Finance, in his budget presentation 2015/2016, acknowledged the public outcry and acknowledged the shortage of US currency and, therefore, in his presentation, said that he would have instructed the Central Bank to revert back to the old system, while putting in \$500 million additionally into the system. He was making this request.

And so, the intention of this request was to clear the backlog of arrears that

businesses in Trinidad and Tobago were signalling that they had obligations to meet, which they could not. And, therefore, what occurred, subsequent to the Minister's statement in the budget, was a directive given to the Central Bank to revert to the old system as well as release.

The Central Bank and the Governor, in adhering to this request of the new Government, released or gave a press or media release and it says here on October 29, 2015, media release via the Central Bank of Trinidad and Tobago:

“Acting on special directives, the Central Bank has:

1. Re-established the foreign exchange distribution system...
2. Consulted with the commercial banks to ascertain the...”

—amount of foreign exchange required and the Central Bank will make a special injection of US \$500 million. The wording of the press release has some element of concern to me, because it is saying here:

“Acting on special directives...”

This coming from the new Government and the Minister. Now, we understand that in law, according to the Central Bank Act, the Minister can give a special directive. But the Central Bank was not unaccustomed to making injections. So then, why on this occasion a special directive had to be given? [*Desk thumping*]

I am very concerned about that. Because if it is that you have an officer, the Governor, managing the monetary affairs of the country, making injections in the past and then all of a sudden we have a new Government, and in order for them to intervene a special directive had to be given. It is of concern. And so, the special injection that was mandated was done, just at the end of October.

3.35 p.m.

On November 15th, a mere two weeks after the injection —and I wish to

quote, Mr. Vice-President, *Guardian* article November 15, 2015:

“Visits by the Sunday Guardian to several banks throughout T&T last week revealed that customers and small business were only being afforded US \$200 per day. Upset customers who called the Central Bank about their woes were merely directed back to commercial bank...

One bank executive, speaking under the condition of anonymity for fear of victimisation, explained that “trade creditors” were responsible for the quick absorption of the US \$500 million...She said the concern for currency now stemmed from the fact that the quick absorption meant little ease to the daily hassle faced by the banks’ clientele.

The money is gone, she said.”

So here it is after the injection you still have the same public outcry. As, Sen. Hadeed said, TTMA, Trinidad and Tobago Manufacturers Association President, former Sen. Rolph Balgobin, agreed that the money was already utilized to pay off existing debts incurred by the business community, they required more funding.

DOMA, head of Downtown Owners and Merchant Association, Gregory Aboud said, he too understood that the business absorption took the majority of the latest injection, leaving private citizens in difficulty.

My point here is, after the special mandate which was supposed to relieve the concerns of the business community and citizens, did not materialize. So then I beg the question, why then was the special mandate? Was there someone saying, that this may not really address the issue? So because his hands were tied, really, probably so, they decided that we needed to do this, and it could only be done through a special mandate.

However, that is was up to November 15th, for two weeks after the injection.

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I want to quote again from an article Tuesday, November 17th, from the *Newsday*:

“GOVERNMENT is seeking to find out where the recently released sum of US \$500 million has gone. The money was released by the Central Bank just a few weeks ago, to address shortages in the supply of foreign exchange for the upcoming Christmas season.

Prime Minister Dr Keith Rowley made the disclosure to reporters at the Office of the Prime Minister in St Clair.”

Mr. Vice-President, herein lies my issue. The Government comes into office and issues a mandate to the Governor of the Central Bank. The Governor of the Central Bank executes the mandate, and when the desired result was not achieved, the Prime Minister engages the use of the \$500 million through a public media. [*Desk thumping*]

You have a situation where a Government moves in, discusses a situation with the Governor, the public is made aware after. But when the public cries out, before going back to men in offices that would have carried out the mandate, we sought to ventilate the issue in public, and herein lies the issue or herein lies two key institutions, the Ministry of Finance and the Central Bank. You have collaborated before and come up with a plan, the directive was given through a mandated, but when it did not work, we engaged one of the institutions through a public media, that, I have a concern with. If a working relationship was at least executed before, then why was it not maintained?

If we are to treat financial security of our country as national security, this treatment of information would not have entered the public domain as it did. So I am saying in the context of building institutions, there must be systems to be followed to address any shortcomings, rather than ventilate so freely through the

public media. You could have simply engaged the institution and asked for a report, and you would have known what would have been the result of the mandate you would have executed. Simple, [*Desk thumping*] rather than going out into the public.

So it comes out into the public, the public is making a statement that they are still having difficulty. The Prime Minister adds to it in such a way, that he issues a concern, and the wants a report, why?—after a member of his Government issued a mandate. So the public again is in the same position a mere three weeks after the mandate was given. What was the basis of the mandate? Why ventilate publicly like that? But then we have a response, and the response coming from the Governor at this point in time.

So my issue here with this again is, that we have been told of the qualifications of the Governor, and the process that has to go through. If it is that one institution or one organization or one arm of State, may have erred by ventilating an issue publicly, was there a requirement to respond publicly? Was there a requirement by the Governor to respond publicly?

So what was happening was that the Governor now is under more pressure, having conformed to the special directive of a policy that fails to bring about any long-term solution, and the issue is now ventilated all over the place. So the Governor at his fifth monetary policy forum on Friday, December 04th, sought to address what he thought in his mind, was the best way to deal with this issue. At that presentation he released several names of companies that would have utilized foreign exchange and said it publicly. There was an outcry as to whether or not the confidentiality was breached. In questioning the Governor's judgment, the Governor sought to issue a press release on December 08, 2015, Central Bank

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statement on allocations of breach of confidentiality. I am not going to read the entire thing. The Governor said here:

“The Central Bank...”

—and I want to look—I just want to highlight a point here. When the Governor was making his contribution at the fifth policy forum, he introduced himself as “Governor as I”, and having how many months in office again. But when it comes under scrutiny, all of a sudden, we move away from ourselves and we hide behind the institution. If you are with—you are to adopt a principle here, if it is the institution we are representing, abide by the institution. Do not go out in the public, make statements on an individual level, and then use an institutional defence for it. So he says here:

“The Central Bank hastens to record and remind of the relevant and applicable statutory provisions, which empower it in the due performance of its objects...”

And he says here:

“Central Bank Act...”

—and the Governor here seeking to justify what his position was. It says:

“Except in so far as”—

Sen. Khan was saying:

“—may be necessary for the due performance of its objects, and subject to section 8 of the Financial Institutions Act, every director, officer and employee of the Bank shall preserve and aid in preserving secrecy...”

The opening line “Except in so far as may be necessary...” This is according to the Central Bank Act. Who determines what is necessary? In simple terms, if I am to define what “necessary” is, because I am not in my way legally sound, or in

terms of having that experience. “Necessary” in reasoning says, what would have occurred if this information was not released? Was it necessary? What would have occurred if this information was not released? In my mind, the public would still have the outcry if the information in terms of who were the recipients of foreign exchange was not released. Therefore, in my mind, it was not necessary, because nothing would have happened and there was no consequence for non-release of the information. That was his first point.

His second point of defence says, and he uses the Financial Institutions Act, 79:09. And he says here:

“Where the Central Bank determines that the disclosure of further information concerning a licensee in addition to that referred to in subsection (5)...”

Subsection (5) really refers to the provision of financial statements of an institution. So it says here, and if I am just to re-read it in that context, it says:

“Where the Central Bank determines that the disclosure of further information concerning a licensee in addition to that referred...”—with respect an analysis of financial condition of a financial situation of an institution.

So what is really happening here, is that he is using a line of defence saying that, in the best interest of Trinidad and Tobago, this information should have been revealed, but the aspect of the Act that was being used, section 8(6), really refers to the Central Bank using its regulatory power, over its institutions, and not governing its operational activities.

This aspect of the Act pertained to the Central Bank deeming a financial institution, presenting a risk to the financial system. It is only under that context, if

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the financial institution was presenting a risk to the financial system that disclosure should occur. So in my mind, the two aspects of the law that the Governor used for his defense, in my mind and in my humble view, I do not think was 100 per cent accurate, in terms of his defence.

As Sen. Khan pointed out later on in the same legislation, under section 8 which refers to confidentiality, and Sen. Khan read it:

“No director, officer or employee of the Central Bank or person acting under the direction of the Central Bank shall disclose...”

No officer, and if we go to (7) of that same piece of legislation, it says:

“Nothing in this section authorizes the Central Bank or any person acting under the direction of the Central Bank to disclose information about a particular depositor or creditor of a licensee, except where such disclosure is required by any written law or ordered by the Court.”

So the question is, could the defence that the Central Bank used, for the actions of the Governor stand? In my mind, I really do not think so. So you have a situation where an institution or the Government engages the Governor publicly, and ventilates an issue publicly, when there could have been good collaborative effort. Then you have a situation where the Governor is responding publicly, and then using a line of defence which I really do not think justifies his position. So therein lies the issue in my mind. And how do you respond to that?

This Motion brought before us here, also speaks of political interference, and whether the Central Banks worldwide as I quote from the Motion:

“Central Banks worldwide are expected to be independent of political interference;”

In an article posted on October 29, 2013, on the Bundesbank of Germany's

website. It is entitled The Road to Central Bank Independence. It says:

“The Central Bank Council of the Bank deutscher Länder fought vigorously for full independence so that it could protect the new currency.”

This was just after World War II:

“The Central Bank Council, with complete seriousness and gravity, finds that the independence of the Central Bank (...) is an absolutely decisive element of securing the currency's stability and maintaining confidence in the currency', according to the minutes of the council's meeting 4 and 5 April 1950.

The central bank and the government finally reached an agreement that the central bank would commit 'to support the general economic policy of the Federal Government in the fulfilment of its tasks'. This passage was inserted into the...Act...Members of the Federal Government were permitted to attend Central Bank Council meetings and submit motions, yet had no voting rights;”—and this practice was followed throughout Europe at that time.

So here it is that we are seeing a Central Bank operating in full independence, not having political influence, but if we compared close to home what has occurred and go to the Eastern Caribbean Central Bank. It says here that:

The Bank was established on October 01, 1983, but the main decision making body of the Eastern Central Bank, is the Monetary Council which is made up of the Ministers of Finance of each member territory.

So here it is one extreme, you have complete political independence, and on the other extreme closer to home, you have political influence, where the Ministers of Finance comprise the board of this institution.

3.50 p.m.

So what really exists in Trinidad? In the Trinidad context, we must recognize that the economy is very dynamic. Section 49 of the Central Bank Act, according to Sen. Khan, as he read:

The Board shall keep the Minister informed...

Section 50:

“The Minister may, after consultation with the Governor, issue to the Bank such written directives...

As we have seen, after the new Government assumed office. Therefore, we are seeing that the Central Bank Act prescribes some element of a working relationship between the Minister of Finance and the Central Bank.

In his speech on March 04, 1967 at the formal opening of the bank's new premises, the Minister of Finance, ANR Robinson—may his soul rest in peace—had this to say:

In this matter of the relations between the Central Bank and Government, the policy of the Government has been to leave the Bank completely free in its day-to-day operations, and there can be no question of any interference with the Bank in the discharge of its technical functions. The Central Bank Act gives the Bank wide statutory powers, but contains checks and balances on the actions of both Bank and Government. It recognizes the ultimate responsibility of the Government for the peace, order and good government of the country and specifically for the co-ordination of monetary and fiscal policies...In this way, it is assured that the Bank will have the maximum degree of independence consistent with responsibility to the community as a whole.

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Here it is we have a situation, an architect of the Central Bank Act, specifically stating that there must be a working relationship, and a working relationship should be established.

But I want to say this. At the close of the fifth annual forum held by the Governor, where the Governor spoke, he says in his closing remarks—the Governor at that time said:

The appropriate monetary and fiscal policies can only come—and I think this is very important—from the Central Bank and the Ministry of Finance working together.

The sitting Governor at that time said that. He says:

We have no choice, we can and should work together to ensure that we get the policies right.

But in his closing remarks, just two lines below that, he says:

We will all be doubled damned if spite, vindictiveness and ego keep us from working together to help our country. [*Desk thumping*]

And so you are seeing two offices recognizing the need to work together, but personality clashes are interfering with the governance of key institutions.

I will say this a lil bit later on in my contribution, but again I am saying as an Independent Senator, the goal here is not who wins. The goal is to develop institutions that will carry our nation, our people and our business community forward. [*Desk thumping*] It is not about right or wrong, but it is about what is in the best interest of the country, and that should be the overriding policy at any given time.

And even if one is wrong, is there a way that it can be worked out so as to preserve the integrity of the institutions [*Desk thumping*] which really we depend

on, which have been taking a bashing internationally for not presenting Trinidad and Tobago in a competitive light? The actions here bringing the Ministry of Finance and the Central Bank into disrepute internationally cannot contribute to the positive nature of the institutions of our land. [*Desk thumping*] So the only people responsible for this can be the leaders of our land. I am not saying Government alone. All leaders of our country, all leaders of institutions must recognize the role and function that we have, and that personality clashes are not a reason that we should engage in in order to resolve a problem. Institutions, institutions, and that is the key factor here.

How would we have dealt with the situation with respect to the Governor of the Central Bank and the Minister of Finance having a level of difficulty? I am saying the way forward for us has been prescribed by our predecessors. I want to quote from Mr. John Pierce, one of the first Governors of the Central Bank of Trinidad and Tobago as Governor for the period 1964 to 1966.

John Pierce's departure from the Bank amidst some acrimony was due more to clashes of personality and his apparent dissatisfaction with the pace at which things were moving. But the Central Bank was not about to engage in open conflict with the Government. Having emerged from the womb of the Ministry of Finance, it necessarily had to have a close working relationship with the Ministry.

Governor 1 of Central Bank Trinidad and Tobago.

Dr. Alexander McLeod, in his farewell speech as Governor in July 1969, of the Central Bank of Trinidad and Tobago, he says here:

A central bank has a difficult task to perform. On the one hand it must endeavour to cooperate with the fiscal and economic policies of the

Government, for clearly it cannot manage the economy all by itself.

He says, and this is his closing line:

It is a matter of reasonable men on both sides taking a reasonable view of the public interest. But I would be less than frank if I did not admit that things do not always go smoothly.

And today I am asking the question: did reasonable men act reasonably in the interest of the public? I want to say, my own view is, I think that this situation could have been handled differently, differently.

And so, in keeping with the thrust of institutions, and I am saying that since for many years institutions have been compromised in this country, and the people of Trinidad and Tobago are the people who are affected most by the failure of these institutions, we as leaders of this country, we all have the right to ensure that institutions under our care represent the interest of the public fairly and in the best interest of the people at all times.

I am saying this, in this context, if you would allow me, Mr. Vice-President, to make an observation here, which I would like many to think about with respect to this institution—the institution of the Parliament and the institution of our Senate as well as our Independent Bench. Two weeks ago, we engaged in a debate on the SSA (Amdt.) Bill. Sen. Small was absent and Sen. Justin Junkère was appointed a Senator. Sen. Small returned to the country and served as chairman of the Joint Select Committee on State Enterprises on May 9th, but the second session of the Senate debate on the SSA Bill was on May 10th. So then, if Sen. Small was in the country on May 9th, then in what capacity was Mr. Justin Junkère invited to this special meeting with the AG on the 9th? [*Desk thumping*]

Mr. Vice-President: Hon. Senator, I do want to remind you that Madam

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President, in her capacity as President of the Senate, did mention that this particular issue would be sent to the Privileges Committee, so I just want to guide you as you make your contribution.

Sen. T. Shrikissoo: Thank you, Mr. Vice-President. But all I am saying in this situation is that we are supposed to be building institutions [*Desk thumping*] and I am not dealing with the issue. I am refraining from dealing with that issue. I am saying the institution of Parliament, the institution of the Independent Bench, in what capacity, because clearly the oath of office was taken on the 10th. The instrument of office was supplied on the 10th, but we had a meeting on the 9th [*Desk thumping*] and, in my view, that affects the workings of the Independent Bench. [*Desk thumping*]

And so, with respect to this Motion that is before us, I am saying that institutions in this country are under threat and more specifically. [*Desk thumping*] So I am saying, Sen. Taurel Shrikissoo is saying, I am seeing the institutions being threatened, the institutions not working in the best interest of the public, Ministry of Finance and the Central Bank. I am saying here that an event that occurs that affects the Independent Bench, which I personally am not too happy with, [*Desk thumping*] and then I am saying if we are to move our country forward, institutions should be built and not be interfered with by personalities.

So, Mr. Vice-President, on this note, the wording of the Motion says to condemn the actions of the Government, but I cannot do that because there are other areas that I disagree with as well, the way in which the Governor himself responded publicly. I am saying here that I have difficulty in supporting the Motion and how it was worded, but I would have preferred that the situation be handled differently. And so, I am saying as I close here that as individuals and as leaders of our land,

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let us pay attention to the institutions that we govern and that we lead, because our people are depending on us. Thank you, Mr. Vice-President. [*Desk thumping*]

The Minister of Trade and Industry (Sen. The Hon. Paula Gopee-Scoon):

Thank you very much, Mr. Vice-President. I am very pleased for this opportunity to enter this debate, although I would want to say upfront that I am going to be guarded in my comments insofar as this is a matter that may very well end up before the courts, and I would be concerned about responding to some of the statements that have been made here this afternoon.

Let me just say something about Sen. Shrikissoon's comments. I must say, I very much like your contribution with regard to independence, and it is something that I would like to speak to in the course of my debate as well, but I wish to put on the record, however, that there has been no personality clash whatsoever between the Minister of Finance and the former Central Bank Governor. [*Desk thumping*]
Let me say without doubt that it is under this administration, this Government, that in fact all of the institutions in this country will be rebuilt. [*Desk thumping*]

My colleague, Sen. Khan, did address the question of the purpose of the Central Bank insofar as reinforcing the importance of this great institution, and I, myself, did quite a bit of research and looked at the mission statement of the Central Bank—went on to the website—and for the sake of public information, I again say that the mission statement of the Central Bank is:

“...the promotion of such monetary, credit and exchange policies as would foster monetary and financial stability and public confidence and be favourable to the economy of Trinidad and Tobago.”

I think, thus far, in all of the discussions this afternoon and on the last occasion, we have stopped short about the whole business of public confidence, and I will come

back to that.

So that the goals of the Central Bank, I think, have been recited clearly by my colleague, Sen. Franklin Khan, in that they are required to provide the country's currency with price stability. He also spoke of the regulatory authority of the country's monetary policy—the whole question of being a provider of notes and coins, and being a government banker and the banker's bank and the lender of last resort, as well insofar as offering loans to banks and other eligible institutions and also in terms of managing the country's foreign exchange. And, of course, we know that it best functions in its capacities when it is independent from government fiscal policy and uninfluenced, but it stops there, Mr. Vice-President. I would go into the role, the dual role of the Governor of the Central Bank and the Minister of Finance.

4.05 p.m.

I want to say that, yes, the Central Bank is all that I said, and my colleague had said, and these are all in fact the matters which a Central Bank Governor is required to preside over, and these are, in fact, we will all agree, very, very serious responsibilities. But, again, in looking at the role of the Governor, that we would all agree is a very, very serious role, and according to the website he is in fact the CEO and he is charged—the CEO of the Central Bank—with the day-to-day management, the administration, the direction and control of the business of the bank, and he has the authority to act in all matters that are not specifically reserved for the board.

He ensures corporate governance, but he is also there to oversee public relations and external communications to foster, and I repeat, to oversee public relations and external communications to foster national and international

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confidence to promote financial stability, literacy and institutional credibility. I want to repeat the importance of the Governor's role in terms of fostering national, and not only national but international confidence as well. The world looks at us in how we function, especially when we are in these positions of authority.

So Sen. Shrikissoon spoke about the whole question of independence and, in a sense, we have to say that there is some independence that is required of the Governor of the Central Bank. So that I researched the question of independence, just as the goodly Senator, and, of course, I too noted there were several conflicting ideas regarding the level of independence that one may see fit for the Governor of a Central Bank. So my search revealed several areas of independence, and one being goal independence where the Governor has the right to set its own policy goals, and that is with regard to targeting the question of inflation and control of the money supply, and, of course, the whole question of the exchange rate, and so on. So that is in fact so.

However, I think all right-thinking people have come to understand, and that is separate and apart from the fact that the relationship is enshrined in law, and that had been clarified by my goodly senatorial colleague, Khan, that the relationship is enshrined in law and it is well established, and well known to most, and almost to all, that many central banks prefer to announce all of their monetary, all of their policy goals, in partnership with the appropriate government departments.

So that I am saying, establishing the fact that there is goal independence in terms of the goals of the Central Bank. However, it is well established and it is enshrined in national law that there ought to be the announcement of the goals of the Central Bank in partnership with the Minister of Finance. And there are reasons for that because this in itself increases transparency, and, also, it adds to

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the credibility of the goals of the Central Bank Governor, and the Central Bank as well. So that the setting of common goals is the preferred situation—not only is it enshrined in law, it is the preferred situation—and it really does help to avoid situations where you may find that monetary and fiscal policy may be in conflict, and that clearly is not a situation and a combination that you would want to find. That is not at all an optimal situation where there may be conflict in terms of monetary and fiscal policy.

There is this whole question of instrument independence as well where the Governor would have his own independence in terms of the way he wants to achieve policy goals, and in terms of the type of instruments that he may use or wish to use, and the timing of the use, and so on. So that is there, that instrument independence, and the goal independence is there in a sense, but we also have to always look at the fact of what is enshrined in our national law and, also, what is best, when what you want, the optimal position that you want, is that situation of a congruence of monetary and fiscal policy. That combination is what you want that is in the best interest of the public.

So that there is also the question of legal independence and that concerns the whole question of whether or not it is enshrined in law. In our situation, our national situation is clearly enshrined in law in the Central Bank Act that the Governor and the Central Bank are accountable to government officials directly, in this case, by legislation. He is directly accountable through and to the Minister of Finance, and that we have made clear this afternoon. So that even though there may be—and Sen. Shrikissoon alluded to that—there may be some defining degrees of independence; in this case there is clearly a case of the fact of his role and his accountability being enshrined in law by virtue of the Central Bank Act.

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Our Sen. Khan spoke to particular legislation, the Central Bank Act, and so on, but there is also the whole question of the continuing amendments, and also the Financial Institutions Act of 2008, and also the Exchange Control Act as well, the Heritage and Stabilisation Fund Act as well, which all will speak to this whole question of legality and the fact of his responsibility and his accountability being enshrined in law.

Again, looking at the question of independence, is the question of the management independence, and I will concede to that, that the Central Bank and the Governor do in fact have authority to set its own operations in terms of appointing staff, and setting budgets, and so on. So I will give you that, that there is some amount of management independence, but, clearly, when one looks at the past and the performance of past Governors in the Central Bank I do not—I mean, there really have not been positions of conflict before. And it says to us that the position being put forward by the Opposition is really one that has very, very little merit in that these are not situations which we commonly see at all. As a matter of fact, governments come and governments go, and the turnover rate of Central Bank Governors is quite low, and that speaks to the institution, how it operates as well, and the comfort of operations alongside the Government, and, in particular, the Ministry of Finance, the Minister of Finance.

So I want to posit the view very clearly in just closing this question of independence that, yes, there is some measure of independence in terms of the management functions, and in terms of the goal independence, to a certain extent, and the instrument independence, but, very clearly, there is in law a required relationship with the Minister of Finance, again, which I repeat, is enshrined in law, and the partnership is absolutely necessary, and on that basis this Motion

really would have no merit at all. So, as I said before, the public will agree, and I think many on the Independent Bench certainly would agree that monetary and fiscal policy really must work in tandem to ensure and protect the interest of the public; that is the ultimate goal. This is a view that has been agreed on by most, and this is a position which has taken place over time as well.

So that there is an expectation when bodies, any two bodies, are working with the same goal in mind and each is working from a different perspective you may have some conflict, but I want to say that those situations should really be few and far between. That is why it is absolutely necessary that there is consultation, consultation to inform, this is the Governor of the Central Bank, to inform the Minister of Finance of his position, to articulate very clearly what his position is in the best interest of the public and in the interest of the ultimate goals of the Ministry of Finance, the Government and the Central Bank. This whole question of good governance and integrity and transparency demands that this kind of consultation is had.

Therefore, let me look at the statement which was made by the goodly former Governor of the Central Bank. Clearly, on December 4th, and many in this room have spoken to that, the then Governor—and it was at the Fifth Monetary Policy forum—he proclaimed that the country was in a recession after four successive quarters of decline in real GDP in 2015. He went on to say that four consecutive quarters of decline means that the country is now officially in a recession. As Minister of Trade and Industry, I would say to you that there are very many businessmen that continue to say to me that it is really when this very unfortunate statement was made by the then Governor that you then started to see a slowdown in the economy. In other words, this kind of statement by the Governor,

without any discussion with the Minister of Finance, clearly sent the wrong signals in this country—sent the wrong signals, and I can tell you the response by the business community, “Hold up, what is being said here by someone of authority?” That clearly set a very negative mood in this country as far as business is concerned.

4.20 p.m.

That disclosure on the economy, Mr. Vice-President, it was not discussed—not discussed. I want to say, that even if you did not look at the law I would say that it is a question of courtesy, the same kind of courtesy that we extend to each other. A question of courtesy, a question of protocol would have been expected for the very least. Even if not enshrined in law, it would have been expected from someone in that position, knowing full well the severity of the statement which he was about to make and the effect it would have, not only on the national business community, but on Trinidad and Tobago's position when looked at internationally. I said, if not the law, at least courtesy and protocol would have dictated that there would have been some measure of consultation beforehand.

As I said before, it is the Governor's responsibility to consult and inform the Minister of Finance on matters regarding policy, and section 49 clearly indicates an obligation. But we could argue about the law and we could argue here about what is right or wrong, but I will tell you what we cannot argue about, that basic protocol, basic courtesy, that basic understanding of his role would have required that Governor to consult firstly with the Minister of Finance. He ought to have informed the Minister of Finance about his disclosure of a recession.

I think it is the Minister of Finance himself who said he had asked for a meeting. He had asked for a meeting in advance, but clearly in defiance or I

suppose whatever judgment the then Governor would have made, he decided he was not going to discuss. He was not going to send a text message. He was not going to send an email. He was not going to call. He just thought it onto himself, now is the time to inform the public and he was going to do just that. I am saying to you that that position and those actions are significantly flawed, and we are all very disappointed on our side in the manner in which the Governor behaved. Clearly he should have enlightened the Minister of Finance before attempting to blindside him.

I want to also say, apart from the whole question of right and wrong and so on, yes he has a responsibility to inform, but again his actions were lawless and, it is my own view and the view of many, that the unscrupulous manner in which he dealt with the whole matter was unacceptable. [*Desk thumping*] It was unacceptable to the business community; it was unacceptable to the nation at large.

Mr. Vice-President, his position is a very powerful position, but his behaviour and the manner in which he dealt with the seriousness of the disclosure is unacceptable. It was unacceptable then and it is unacceptable now. I want to say in ending this little part of my contribution, that a person responsible for the transactions and this whole question of monetary policy of this country should never act in the manner in which the then Governor acted.

It is at that particular meeting, that Fifth Monetary Policy Forum that the Governor then went on to disclose the names of several foreign exchange conglomerates and banks in Trinidad and Tobago. That was another point of contention and remains a point of contention within the business community within Trinidad and Tobago. Many lawyers would tell you that the then Governor breached several laws, and there is no need for me to detail all of these laws. But

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he breached the law in disclosing and in mentioning the top users of foreign exchange, and that brings into question the whole question of confidentiality.

Mr. Vice-President, when I left university, my first job was as a management trainee at Republic Bank. On the first day on entering, before I was introduced to anyone else but the HR personnel, I had to sign on to an oath of confidentiality. That is an oath that I carry with me today. It is well embedded in me as a former banker, and I believe once a banker always a banker. That is an oath that is well embedded with me and I well understand it, that there should have been no disclosure by the then Central Bank Governor. [*Desk thumping*] That kind of action, I repeat, certainly did not inspire confidence among the business community.

Again, the disclosure was in breach of section 56(1) of the Central Bank Act, section 8(1) and (7) of the Financial Institutions Act and it is potentially a breach of also section 44(1) of the Exchange Control Act. Really, there was no justification for the then Central Bank Governor acting in the way in which he did.

I am not going to speak much longer. I want to emphasize this point about there having been no personality clashes. Again, I say that there were absolutely no personality clashes; that never entered our consideration at all. That was never out there. But I want to highlight the point that this occasion could not have been a question of simple oversight. It could not have been a question of simple oversight, because the Minister of Finance, as I told you before, had requested a draft. He had heard. Of course he knew that this was going to take place, and the Minister of Finance did, in fact, ask for a draft of the Governor's speech before the then Governor made his presentation, and it was not given to him at all.

Really, I just want to emphasize that even though Sen. Shrikissoon and

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others quoted again the Governor emphasizing that the appropriate monetary and fiscal policies can only come from the Central Bank and the Ministry of Finance working together, we have no choice. We can and we should work together to ensure we get the policies right for the country's recovery. We would all be doubly damned despite the vindictiveness and ego keeping us from working together to help our country, that is all so— but that statement rings true of what ought to have been the case, and the fact that the Central Bank Governor's actions were a completely different story—a completely different story.

It is that in the course of his doings on that day, December 04th—it is the day I am reminded of the fact—I do not know if his actions were perhaps to distract from what was taking place the day after. As you know, Mr. Vice-President, the day after would have been the UNC's internal elections and there was a lot of bacchanal in the public domain about what was taking place there. So I do not know if it was meant to be a distraction. But I want to clearly place on the record, and in response to the Motion which clearly cannot be supported, is the fact that the Governor forgot the most important oath, and that is—*[Interruption]*

Mr. Vice-President: Minister of Trade and Industry, do you have much longer again?

Sen. The Hon. P. Gopee-Scoon: No.

Mr. Vice-President: How long exactly?

Sen. The Hon. P. Gopee-Scoon: Five minutes—less.

He forgot the most important oath, and that oath is that the country comes first. Whatever his actions were, should have been well considered against the backdrop of what is right for the country, particularly at this time, particularly given the economic circumstances at that time as well. It is about country first. I

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would want to say that the Governor would have well been advised to put aside pride and ego and resentment, or whatever there was, to make sure that whatever he did would have been in the best interest of the people of the Republic of Trinidad and Tobago. I want to say for the final time that it was his duty. It was the Governor's duty to work alongside the Minister of Finance for the sole purpose of bettering the country.

He may have argued and, indeed, I think it was Sen. Dr. Mahabir who spoke to the question of moral suasion as a tool in the Governor's arsenal, to effect changes on matters of monetary policy. This whole question of moral suasion is an important tactic used by the Central Bank to influence banks into adhering to its policy and guidelines, but I want to highlight the fact that is in fact a very qualitative approach that is aimed at pressuring different economic agents to comply with the authority's policy guidelines. Yes, it is a very important process to be considered, but again what I would have expected from the Central Bank Governor, if he thought that he wanted to encourage or engender some kind of compliance with policy or to encourage banks to work in tandem with the Central Bank or so, I think there are many ways that he could have used to execute moral suasion.

He could have had a meeting. He could have called all the bank executives and stakeholders to meetings. He could have met with the Minister of Finance. There could have been some kind of inspection and visitation or so. He could have asked for records, activities and so on to make sure that all kinds of guidelines are being adhered to. There are all sorts of qualitative approaches that could have been taken by the Governor of the Central Bank, if he wanted to exercise moral suasion, as he is able to as a persuasion tactic to ensure that all the banks were in fact

adhering to policy guidelines. He could have used all of these methods, and he could have written guidelines. He could have written them letters. He could have made public statements, in the form of probably a general appeal to the public, but he did not. What he did, I would proffer at this stage, was not appropriate. What he chose to do, the line of action which he took was not appropriate.

So the whole question of moral suasion and that argument by Sen. Dr. Mahabir is an acceptable one. But in this case, the Governor of the Central Bank never chose any one of the appropriate means of moral suasion that he could have if he wanted to engender the support of the banking community and so on.

There is no point in belabouring our position on this Motion. We will absolutely not support it. We have been very, very clear that the relationship is one that is enshrined in law. I am not going to have any discussion about political motivation that some of the others may have tried to bring up. All I want to close by saying is that his actions were unforgiveable, unacceptable, unpardonable and did not inspire any public confidence at all. [*Desk thumping*] It is for these reasons that we cannot support this Motion which is before us today.

Mr. Vice-President: Hon. Senators, it is now time for the tea break. We will return at 5.10. This House will now stand suspended.

4.35 p.m.: *Sitting suspended.*

5.10 p.m.: *Sitting resumed.*

Mr. Vice-President: Sen. Sturge.

Sen. Wayne Sturge: [*Desk thumping*] Thank you, Mr. Vice-President, for the opportunity to join this debate. Mr. Vice-President, permit me to address two issues that were raised in the contribution of the Leader of Government Business, Sen. Khan. Sen. Khan indicated, when he sought to give an historical perspective,

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that the former Central Bank Governor, who is the subject of this Motion, went on to announce, for the first time in our history, that our economy was in a recession. So, what the Leader of Government Business did was to give the country the impression that what was done by the former Central Bank Governor in making the announcement of a recession was unprecedented. That is not true.

So, permit me to refer to the *Daily Express* published November 13, 2009, "T&T officially in recession, says Williams". That Williams is one Ewart Williams who at the time was the Governor of the Central Bank. It starts:

"Central Bank Governor Ewart Williams confirmed yesterday what the business sector and the labour force have been reeling from for months—that the local economy contracted for the third consecutive quarter."

And he went on to say:

"Gross domestic product shrank by one per cent in the last three months of 2008, then by 4.6 per cent at the start of 2009, then again by 3.6 per cent up to the end of the second quarter of this year, Williams said during a news conference to launch the October issue of the Bank's Monetary Policy Report at the Central Bank tower, Port of Spain."

And he went on to say:

"Perhaps, by the conventional definition, we are in a recession,'...referring to the three consecutive declines in GDP growth."

So that when the Leader of Government Business gave the House the impression that what the Central Bank Governor did was unprecedented, that simply was not. [*Desk thumping*] But when I listened to the contribution of Sen. The right Hon. Paula Gopee-Scoon, I got a clearer picture as to the real reason why the Central Bank Governor was terminated. Because, in essence, after all was said

and done it boiled down to what she said was a breach of protocol, that you should have informed me first before informing the public. Well, there is a Cameroonian quote which in essence says:

“He Who Asks Questions Cannot Avoid the Answers.”

So, I remember, and I want to know if this is fair? If you, as we heard earlier today, if you mandate the Central Bank Governor to take a certain action, and it is published for the public to see, the public knows the reason for the mandate, they had no problems with that, and then in seeking to carry out your directive, your mandate—and when I say your, I refer to the Minister of Finance. At the end of the day your mandate fails spectacularly. What you do then is you ask questions of a man who you have been criticizing for the last two years, you ask questions publicly, and publicly if you ask questions of him, and in such a way by innuendo to suggest that somehow he was either incompetent in the way he carried out his job, or maybe even dishonest. Then you cannot expect a reply in private. That is just wrong.

So you give a directive to the Central Bank Governor, telling him to do this, he complies with it, because those are your instructions, and when your instructions fail spectacularly, you then ask in a public forum, where the money gone? [*Desk thumping*] And the Prime Minister then joins in the chorus to ask, where the money gone? But, as they say—yes, and in essence, what you have done is you have transferred your plan, which failed spectacularly, and you have transferred responsibility for that failed plan, from you to the Governor of the Central Bank. [*Desk thumping*] You do so in public then you expect him to answer you in private. He who asks questions must not avoid the answer. [*Desk thumping*] And the thing is, when all is said and done, this Government which

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came into office on the premise that they would be transparent and accountable. They have fired the Central Bank Governor for being transparent and accountable.
 [*Desk thumping*]

Before we embark on the issue of transparency and accountability, let me refer to a quote from the case of *Jones v Lipman*, a famous quote by Russell Lord Justice, so that we put things into perspective. And tailored to suit, it says in essence, and when we know the timeline and history of this matter, we know that the reason for the dismissal of the Central Bank Governor in the words of Russell Lord Justice, quote:

“A device and a sham, a mask”—the Minister of Finance—“holds before his face in an attempt to”—escape—“recognition by the eye of equity.”

You see, Mr. Vice-President, you have to take this in the context of the Minister of Finance in essence goading and provoking the Central Bank Governor to respond. You simply cannot come here and say, well, he breached the law, in your view, and he ought to be dismissed, when all along you did not come with clean hands. You cannot seek to give the public the impression that he was fired for a breach of the law, when you came at him with malice aforethought.

Mr. Vice-President: You are imputing improper motives on the Minister of Finance, I would ask that you move away from that line of contribution.

Sen. W. Sturge: I am so very sorry and I will try not to do that again. All I am saying, I am referring to the timeline given from 2014, when the Minister Finance stood up in the House as Member for Diego Martin North/East, and called the Central Bank Governor at the time, an OJT Central Bank Governor, he did not know what he was doing.

So, from 2014, when the onslaught started up until the dismissal was

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effected, we have a number of statements in the public domain, where the Minister of Finance is saying certain things about the Central Bank Governor. And that is why I say he came with malice aforethought. And you know fully well your disposition, or from what we perceived of your statements in the public domain, there is a perceived disposition toward the Central Bank Governor, then you tried to embarrass him publicly when he carries out your mandate, and when your mandate fails and he replies publicly, then you have a problem with that. That would not wash, Mr. Vice-President.

Now, this is in the context, and this has to be taken in the context of what we are seeing now. Jwala Rambarran was simply the first victim in what is now a trend. It started out with the Central Bank Governor, so that in essence they got rid of him, and they put someone who they are saying could do the job better. But how did he start? He started with a party, a big “bashment” that cost about \$200,000. This is a fine start. You party your way in, and then we hope that you could reverse the situation that the Minister of Finance has been complaining about for the last two years. But, what happens, under the new Central Bank Governor, your boy that you championed and put in place, we see a continuing downward spiral in the exchange rate.

The foreign exchange woes have not been solved at all. And, then when we seek to ask questions we are met with great resistance, and that is very troubling. Because first it was the Central Bank Governor, then we see other operatives; we see Dennise Demming, then we have seen the SSA—I would not want to call it ethnic cleansing, that is not parliamentary. But we simply see people who are perceived to be not in line with the Government's policy or agenda being jettisoned or taken out; then we hear—nowadays we are hearing, what comment you can put

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on facebook and not put on facebook because it is hurting the country. That is on the Minister of Tourism. And then we have the SSA. And what we are left with now creeping into our democracy, we are allowing sensors and systems of surveillance designed to coerce, or conformity, or silence—

Mr. Vice-President: Hon. Senator—

Sen. W. Sturge: Yes, please.

Mr. Vice-President:—that particular debate has ended, please keep your contribution within borders of this particular Motion which speaks about the Central Bank Governor. Thank you.

Sen. W. Sturge: So, all I am saying, it continues with this debate, that we are seeing mechanisms where they are either going to coerce or conformity, or solicit, or submission.

5.25 p.m.

All they are asking is our silent and obedient consent. So that, with respect to the Central Bank Governor, they fired him and all they expect him to do is go quietly so nobody, not a peep from anyone. So in that sense I agree with what Sen. Shrikissoon has said about the attack on institutions, because this should not have been about personality and it must have been, in my mind, about personality.

Now, the other reference from the Leader of Government Business in essence, he tried to deal with the independence of the Central Bank Governor and at the end of the day after all was said and done by the Leader of Government Business in the Senate, it was quite clear that they do not regard the office of Central Bank Governor as an independent office. It is quite clear, from the way they defended it, that this simply must be a lackey who would do as he is told.

[Desk thumping]

Now, what has happened now, all the complaints and I will go back to the trend, but before I go back to the trend, permit me to read into the record a few bits of correspondence. There is a letter from attorney-at-law, Darryl Heeralal, dated December 30, 2015, addressed to Ms. Lucy Rodriguez, Secretary to the Cabinet, Office of the Prime Minister. After the opening pleasantries he gets to the gist of it:

I hereby apply under the provisions of the Freedom of Information Act to be provided with the following—which he lists.

- A. The name or names of all the attorneys-at-law and/or barristers-at-law, both local and foreign, who provided advice to the Cabinet with respect to the removal and/or dismissal of the Governor of the Central Bank of Trinidad and Tobago, Mr. Jwala Rambarran; and then
- B. Date or dates when the advice was sought and date or dates when the advice was received; and
- C. The fees paid to each attorney-at-law and/or barrister-at-law.

Then underlined:

These are official records in the possession of the Cabinet and I would be grateful if you can provide me with the said information as contained in the attached forms within the time period as speculated in section 15 of the said Act.

And these are the forms attached with the relevant request, signed by attorney-at-law, Darryl Heeralal.

We then had a response from the Secretariat. Well there was a response on January 21, 2016, but before that a response on January 8, 2016, in essence saying that the matter raised in the letter is receiving the attention of the Cabinet and he

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would be advised in due course. But on January 21, 2016, Secretary to Cabinet writes Mr. Darryl Heeralal, attorney-at-law. Rubric:

Re: Request for access to official documents pursuant to section 13 of the Freedom of Information Act, Chap: 22:02, in respect of the removal and/or dismissal of Mr. Jwala Rambarran as Governor of the Central Bank of Trinidad and Tobago.

I refer to your letter dated December 30, 2015 under cover of which was submitted your request for access to official documents dated December 30, 2015, pursuant to section 13 of the Freedom of Information Act, Chap. 22:02 in respect of the removal and/or dismissal of Mr. Jwala Rambarran as Governor of the Central Bank of Trinidad and Tobago.

With respect to the information requested in paragraph 2A—and I read what 2A was—and 2B of your letter, I hereby submit the attached certificate of exemption issued under section 24 of the Freedom of Information Act.

Now what was A and B? A was simply asking for the names of the lawyers who got involved and proffered advice and B was simply asking for a date when the advice was sought and the date on which the advice was received. That is it. Is that not transparency? Is that so hard to simply give us the date and give us the names of the persons who took part in proffering the advice. They responded in essence by saying the short to the long, no! Nothing for you. And they ticked off certificate of exemption that it was a document which has been considered by the Cabinet and which is related to an issue that is or has been before the Cabinet.

Now, the disturbing thing is this. If you are all about transparency and accountability, then why not tell us the names? [*Desk thumping*] Without seeking to call anyone's name, it becomes even more important in the context of a certain

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attorney aligned to the PNM, well connected in the familial hierarchy where—

Sen. Hadeed: “Doh call no name.”

Sen. W. Sturge: I am not calling any names. One day he submits an invoice and the next day he is paid.

Mr. Vice-President: Hon. Senator, again, I have asked you and guided you to stay relevant to this particular topic and Motion with regard to the Central Bank Governor. What you are talking about now is outside of that. So again bring it back in. Thank you.

Sen. W. Sturge: Well for me to bring it back in, what I am saying in essence, Mr. Vice-President, is simply to ask a question that I have heard asked in the public. Who gave that advice? And who gave that advice and up to today the question was asked, who gave the advice?

Sen. Hadeed: I asked the question.

Sen. W. Sturge: Yes. Well, the question was asked outside and also inside by my friend Sen. Hadeed. And up to today it was asked in context, is it the man? And that is why I raise it, is it the man who one day submitted an invoice and then the next day got a cheque, who is the son of a Government Minister, husband of the President—

Mr. Vice-President: Hon. Senator, again, you can speak about the Central Bank Governor and the Motion before us. The line and the argument that you are taking is not relevant to the current debate. I am not going to warn you again on that.

Sen. W. Sturge: Thank you. Can I, Mr. Vice-President, through you simply to ask, whether this person was one of the persons, through you, because that is all we want to know. Whether this person is one of the persons who provided the advice. That is all we want to know. We know thus far, without any official record that, I

believe Mr. Martin Daly was one, and we have to ask who is a managing partner in the firm of M. G. Daly and Partners.

So in the grand scheme of things, these are questions that we would like answered. These are questions we are entitled to have answered and the Cabinet is saying, no. [*Desk thumping*] So that sham about being accountable and being transparent, that rings hollow, because the one who was transparent, you fired him for being transparent [*Desk thumping*] and accountable. Let me read from a quote in the newspaper attributed to one, Peter George. And it is from an article published by Gail Alexander on December 17, 2015. And Mr. Peter George Jr is asking for the Government to act swiftly and smartly on the issue of the impasse as determined between the Central Bank Governor and the Minister of Finance. Let me quote, midway down in the article:

“...transparency goes both ways, George added, saying:

I have no issue with the Governor's revelation even if it was my business involved. There was a public furore for 18 months on the Forex matter when funds were unavailable and he gave the information obviously to quell concerns.

Forex is a sovereign asset of the State, constituting part of the national patrimony. It's the State's money. Therefore, the public has a right to know what's being done with it. It's essentially their money.” [*Desk thumping*]

Now, the thing is after the mandate to inject US \$500 million or half a billion US that could put it in perspective and after it dissipated within two weeks, in record time it evaporated. The question was asked by the Minister of Finance publicly and by the Prime Minister publicly, where the money gone? And when he answered, then we got a true picture of who is running this country. Because I

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realize the minute certain people get a hissy fit in this country and they call for your head, “yuh gone”. [*Desk thumping*] So we—after the question was asked publicly and answered publicly, we heard from the President of DOMA.

Now, my grandmother always used to tell me when I was small, if you want to really appreciate the message you have to know something about the messenger. The President of DOMA has a problem with illegal vending but has no problem with illegal parking and gets vex when the wrecker doing its work, “because, according to he, it hurting he business”. And now that someone answers the call for transparency he comes out and makes a big song and dance and then at the end of his song and dance that is the end of the Central Bank Governor. So if you want to know who runs this country, who has the weight, it is not 380,000 people who voted, that was just for show. There are certain people in this country, when they call for blood they get it.

Now, if it has not already been done what I want to do before I come close to wrapping up this short contribution is to place on record the answer, because I do not believe it was placed on record, so the answer must go down in the *Hansard* of who are the biggest users of Forex. And the answer he gave:

1. Nestlé, US \$194million—and who vex loss.
2. Witco, US \$129 million;
3. Carib, US \$107 million;
4. NFM, US \$102 million;
5. Coca Cola, US \$94 million.

They are listed as the top five manufacturers using up Forex. The next category, the top five retail and distribution companies using up Forex.

1. PriceSmart, US \$575 million;

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2. Courts, who sell cheap furniture and so on, US \$198 million.
3. Smith Robertson, US \$169 million;
4. AS Bryden, US \$153 million;
5. Massy, US \$136 million.

And then we have the top five car dealerships using Forex.

1. Southern Sales, US \$275 million;

They sell new cars as far as I am aware. [*Crosstalk*] Yes, not used car dealers. But before I say what I have to say about that, let me finish the list:

2. Massy Motors, US \$251million. Let the record reflect that.
3. Toyota, US \$245million;
4. Diamond Motors, US \$59million;
5. Lifestyle Motors, US \$36 million.

So at the bottom of the list provided, graciously and thankfully by the then Central Bank Governor, we see all who are the used car dealers.

5.40 p.m.

But yet—"and mind you, ah could bet meh bottom dollar that all ah them are financiers of the Government". But after all—[*Interruption*] After all is said and done, we see a policy targeting used-car dealers. So the poor man is targeted and blamed for the outflow of foreign exchange when really it is the rich man. I did not see CRISM or any other used-car dealer inside here. But they implement measures targeting the poor man for shopping online, targeting the foreign-used people who are middle business, who provide jobs, who want to come out of the working class and belong to the entrepreneurial class, they target them. That must be wrong.

Hon. Senator: Immoral.

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Sen. W. Sturge: Immoral, as my learned friend, Sen. Hadeed, is saying.

Yes, I am almost finished, it is just one point I wish to make. I wish to quote from another man. Hear this quote. When the Central Bank Governor announced a recession, hear this—and some people referred to him as masquerading—that he is not taking the information of a public officeholder with an agenda who was bent on mischief. That sounds familiar? And then when the shoe dropped, we were actually in a recession.

So I harken back to the role of the Central Bank Governor and the contribution of Independent Sen. Mahabir and we have removed a Central Bank Governor who I believed had things in grip and we have replaced him which, from the admission or implicit admission of the Leader of Government Business, is a political appointment, and now if we harken to what was said about the role of the Central Bank Governor by Independent Sen. Mahabir, we are seeing now downward spiral of the rate and we are seeing a lot of things that would make us question the truthfulness as to whether this was really a firing based on a breach or something else.

Because one would expect that imagine, with the role of the Central Bank Governor, we are hearing nothing from the present Central Bank Governor about Royal Bank going to increase rates; nothing to protect the poor man. We had a lot of people who were prepared to speak against the Central Bank Governor who, in the last five years, assumed the veneer of independence, but when the time comes to speak about matters that concern us, they are quiet. When the time comes for them to speak about matters concerning our rights, they are quiet. They rather talk about one gymnast fighting against another gymnast in the hope that when the present President's term expires, he will get a chance, nothing relevant.

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So all of the people who listened to the Minister of Finance when he told us what he told us about the firing, one has to really question a lot of what is said by the Minister of Finance. Even today before coming here, it did not even seem like an issue to me but it was pointed out in Woodford Square, that “ah thought dey say de country running on fumes and dey max up the overdraft but dey have US \$50 million to give Chavez”.

Sen. Singh: Mr. Vice-President, 46(1).

Mr. Vice-President: After reading the Standing Order and the hon. Member rising on that point of order, I rule that, again, it has merit keep your contribution relevant to the current debate, hon. Senator. Continue.

Sen. W. Sturge: Much obliged. So all I will close by saying—[*Interruption*]
“Allyuh leave the boy nah.” [*Continuous interruption*]

Mr. Vice-President: Continue, hon. Senator with your contribution. Ignore the comments.

Sen. W. Sturge: Yes. All I am saying in closing, since I would not want to comment on the Minister of Finance, all I am saying is sometimes we have to examine what people say. We simply have to examine what people say and see if we can take it seriously and in this case, I have no doubt in my mind that the removal of the Central Bank Governor in my mind was affected, not by what we were told but perhaps by mala fides and in that situation, I, too, would support this Motion in condemning the Minister of Finance for the removal of the Central Bank Governor. I thank you.

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Thank you, Mr. Vice-President, for allowing me to join this debate on this Motion and I will make four points. The first is that this Motion is

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obviously unsupportable because it is fundamentally flawed in its construction and its intent. You see, the Motion is supported by certain recitals but at the heart of those recitals, the last three, Sen. Mark talks about the Central Bank being managed by a board of directors and the day-to-day management of the bank being entrusted to the Governor. First, that section 10(1) of the Central Bank Act stipulates that the Governor shall be answerable to the board for his acts and decisions; and then thirdly, that there has been no public discourse by the board of directors or otherwise with regard to the apparent reasons for the dismissal of the Governor owing to his actions or decisions.

So essentially, the Motion is constructed bringing the board of the Central Bank into question and the resolution then proposes the condemnation of the Government and therein lies a very fundamental flaw in this Motion. The Government is not answerable by the construction of the Motion. Sen. Mark is calling into question the role of the board and it is for Sen. Mark to argue with respect to the role of the board. And that makes this Motion nothing but a vexatious Motion, a Motion merely for the opportunity to speak and merely for the opportunity to attack, with no substance or reason behind it.

Because section 12 of the Central Bank Act is very clear. It is very clear. It is the President, on a series of grounds, who can terminate the Governor of Central Bank. It is not a matter for the board. It is not a matter for the Minister. It is a matter for the President and in this case, in our country, we know that the President acts on the basis of what is received from the Cabinet. But a Motion that is framed bringing into question the role of the board attacking the Government in its resolution is fundamentally flawed because it is the President who has terminated the Governor of the Central Bank.

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Let me go to Sen. Hadeed who comes looking for legal advice. He wants the legal opinions. He wants to see the reviews and he wants to get the facts. Well, Mr. Vice-President, that is the second problem with this Motion and the second problem with those who have gone in search of legal opinions and the facts and the reasons and all of that in the debate on this Motion. The purpose of the litigation that the former Central Bank Governor has set in train with his pre-action protocol letter is to get what the Opposition is looking for. That is the purpose of the action he has set in train—this Motion is not the place for legal opinions, this Motion is not the place for the facts, this Motion is not the place for the story.

The former Central Bank Governor has taken the steps which form part of the recourse that he has and the court is the place that this issue will be resolved, not the Senate. [*Desk thumping*] Mr. Vice-President, it is not the Senate that is going to arbitrate or pass judgment, it is not the Senate that is going to litigate, it is the court and that is where this issue will be resolved.

Sen. Shrikissoon talks about engaging the Central Bank in private, that the Minister should have engaged the Governor in private. Well, again, we do not know what happened privately. We simply do not know and this debate on this Motion—[*Interruption*—we in this Senate do not know, and this debate is not the place to know. Again, Sen. Shrikissoon will get the answers as the litigation unfolds. You see, the heart of the complaint so far from the Opposition is that there has been no full disclosure, no legal opinion, no private discussions, no correspondence, emails, telephone calls, but again, this is not the place for that and the former Central Bank Governor has gone to the place where those things will be resolved.

This is a very difficult debate to participate in, Mr. Vice-President, and I am

sure all the speakers have been very careful. This matter, as I said, litigation had been set in train. We all have to be careful and the decision to bring the Motion itself is a dangerous decision, but on this side we have had to respond, we have had to debate, but we have also had to be very careful in the debate, in ensuring that we respect the rules relating to debates in this House. So the former Governor of the Central Bank will have his day. He would have the opportunity. The President has acted as the Central Bank Act allows the President to do. Section 12 is very clear and the former Governor will now have his day.

But in defence of the former Governor, Sen. Mark, his thesis sets out six reasons essentially, all of them without root, without ground, without any substance. He talks about, first, a devious agenda; nothing surprising there. He talks about the role of the board saying that it is the board to whom the Governor is accountable, ignoring the various places in the legislation and the various parts of practice and past conduct that give rise to other forms of accountability of the Governor of the Central Bank. It is very clear. It is not the board solely to whom the Governor is accountable. He talks about a campaign to destabilize the Governor. Sen. Mark, coming from a party that has managed to shake, crack, and in some cases, destroy every institution in this country. [*Desk thumping*]

5.55 p.m.

He talks about the machinations to get rid of the Governor, and the Minister of Finance wanting to control the Central Bank and have the Governor whimsically removed. That is his thesis; there is a devious agenda; it is the board and not the Minister of Finance to whom the Governor is accountable and that there is a campaign to destabilize the Governor; there were machinations to get rid of the Governor; the Minister of Finance wanted to control the Central Bank; the

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Governor was whimsically removed. The usual rhetoric from my good friend, Sen. Mark. Nothing surprising there. Nothing of substance and nothing upon which a serious debate could be founded.

You see, Mr. Vice-President, it is not unusual anywhere in the world for conflicts to arise between Ministers of Finance and Central Bank Governors. It is not unusual. Let us talk about the action, under section 12, bringing the country into disrepute and destabilizing the financial system and all of that. That cannot be supported by any evidence. Nothing has been put forward to support that, because that is the nature of the two offices.

And when the relationship between the Minister with responsibility for the fiscal side and the Governor with responsibility for the monetary side, when the relationship gets to the point where it is untenable, section 12 steps in, because it is the Government and the Cabinet that must exercise its electoral legitimacy, and the law provides for that action to be taken when that point is reached when the two are in conflict. And in this case, there has been no hesitation in acting, and the former Governor has taken the steps allowed to him.

So, in closing Mr. Vice-President, this Motion is vexatious, no substance in it. It is fundamentally flawed, framed as calling into question the role of the Board and seeking a resolution that attacks the Government. It is inaccurate. It is inaccurate. It is misleading.

And in his contribution, Sen. Mark has debated in what I call scattershot. He has fired a shot saying somebody from a local bank criticized the Governor 18 times and that local bank did not hold that person accountable. He has attacked his former allies in the trade union saying when this happened they were agents of the Government and they stood or sat in silent night. He has attacked the Minister of

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Finance. He has attacked the Government.

It has been an unnecessary Motion, Mr. Vice-President. This Senate can do nothing about it. It has gone to the place where it should go. It has been an unfortunate Motion. It has been an unfortunate Motion that has absorbed this Senate's important time and most importantly, Mr. Vice-President, as I close, it will be an unsuccessful Motion. I thank you. [*Desk thumping*]

ADJOURNMENT

The Minister of Rural Development and Local Government (Sen. The Hon. Franklin Khan): Mr. Vice-President, I beg to move that this Senate do now adjourn to a date to be fixed.

Mr. Vice-President: Hon. Senators, before I put the question on the adjournment, leave has been granted for a matter to be raised on the Motion for the Adjournment of the Senate.

Housing Development Corporation

(Failure to Honour Commitment to Prospective Homeowners)

Sen. Wade Mark: Thank you very much, Mr. Vice-President. I am happy that the hon. Minister of Housing is in the Senate today.

Sen. Baptiste-Primus: You called him, Wade.

Sen. W. Mark: Yes, I am happy that he is here.

Sen. Baptiste-Primus: "So doh play yuh doh know why he is here."

Sen. W. Mark: Mr. Vice-President, the purpose of this matter on the Motion for the Adjournment deals with the failure of the HDC, the Housing Development Corporation to honour its commitment and the legitimate expectation of several prospective homeowners in our country.

Mr. Vice-President, the preamble to our Constitution reads:

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“Whereas the People of Trinidad and Tobago—

have affirmed that the nation of Trinidad and Tobago is founded upon principles that acknowledge the supremacy of God, faith in fundamental human rights and freedoms, the position of the family in a society of free men and free institutions, the dignity of the human person, and the equal and inalienable rights with which all members of the human family are endowed by their Creator;”

It goes on further to talk about:

“respect the principles of social justice and therefore believe that the operation of the economic system should result in the material resources of the community being so distributed as to subserve the common good, that there should be adequate means of livelihood for all, that labour should not be exploited or forced by economic necessity to operate in inhumane conditions...”

Mr. Vice-President, I go to the Universal Declaration of Human Rights and I deal with Article 25 which speaks to:

”The right of every human being to enjoy a quality of living and a standard of life—“adequate for the health and well-being of himself and his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in the circumstances beyond his control.”

Now, I raise these issues to get to the matter before this honourable Senate. Mr. Vice-President, I have been advised that several citizens of this Republic who

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have applied to the HDC for a home, which they are entitled to do, and who have been called by the HDC, I have several letters in my possession, written by several ordinary citizens. Some of them are firefighters. Some of them are self-employed, from Belmont; some are taxi drivers from Laventille, a PNM stronghold; some are security officers from Belmont.

Hon. Senators: Lawyers from Belmont.

Sen. W. Mark: Well, I am talking about the ordinary people. You also have lawyers too.

Sen. Gopee-Scoon: We are all ordinary.

Sen. W. Mark: No, some of you all are big shots. You are talking about domestic workers, among others. And what has happened, Mr. Vice-President, is that some time ago they applied. Their reference numbers are here, hon. Vice-President, through you, to the Minister, and they applied and they were called. Some of them were called around 17 August, 2015. They received a call from Mrs. Funrose, okay, informing them that their name had been approved for housing and that they should come in 10 days' time to pick up a package, which would give them guidelines as to what type of information they would need to bring into the HDC to begin the process.

Now these are people who have been waiting for 10, 15, some of them five, some of them 20 years. Lo and behold, election was called. The 7th of September came. A new Government has been installed, sworn into office. And when these very ordinary people went back to Mrs. Funrose, they got a call, I should say, hon. Minister, and it is recorded. I think the SSA can help you, if you want to track down the information. Mr. Vice-President, they are not telling untruths. [*Desk*

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thumping] So I am saying if you want to verify, the SSA would help you verify this information, because they are tapping and wiretapping and engaging in spying on ordinary citizens.

What has happened since then, Mr. Vice-President, is that, with the installation of a new Government, apparently these ordinary citizens have now been abandoned. When they go to Mrs. Funrose for help, she said her hands are tied, she cannot take any action. But remember, when they contacted these—
[*Interruption*]

Mr. Vice-President: Senator, you have two more minutes.

Sen. W. Mark: When they contacted these people, they were advised that they can come in within a particular period. Mr. Vice-President, they have gone in and they are knocking and knocking, appealing, imploring, crying, beseeching Mrs. Funrose, but her hands are tied.

So I have asked the hon. Minister of Housing, the hon. Randall Mitchell, who is here with us this evening, to make his presence felt here so that he can make an intervention on behalf of the these ordinary citizens who are seeking nothing more, nothing less, than a roof over their heads; their right to housing. And they have the capacity to carry the mortgage. So I am asking, Mr. Vice-President, through you, and I am appealing to the hon. Minister. I can make all these letters available to you. I ask him to meet with all of these workers, all of these ordinary people, and seek an audience and try to resolve this matter. They are not applying for the first time. They have applied several years ago. They have been given the undertaking to come in, but because of the election they have been disappointed when they go back to the HDC for help and assistance.

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 Sen. W. Mark (cont'd)

So, Mr. Vice-President, through you, I hope that the hon. Minister can give us here the undertaking that he will use his good office to accommodate these ordinary citizens and to hear their cries and their pleas, in order to ensure that they get justice where justice is due, Mr. Vice-President. I thank you very much, Mr. Vice-President. [*Desk thumping*]

The Minister of Housing and Urban Development (Hon. Randall Mitchell):

Thank you, Mr. Vice-President. It is a universally accepted truth that few other issues are more important than having a safe, secure place to call home. My priority today is to address the importance of ensuring the administration of the HDC spurs the delivery of affordable homes to all its prospective homeowners.

Let me say at the outset, Mr. Vice-President, that the HDC is fully committed to pursuing its duties and functions, in accordance with section 13 of the governing Act, that is, I quote:

“...do all things necessary and convenient for or in connection with the provision of affordable shelter and associated community facilities for low and middle income persons;”

Mr. Vice-President, at its inception in 2005, the HDC was mandated to provide subsidized housing to citizens in the low and middle-income range.

6.10 p.m.

Often, this catchment also included individuals considered vulnerable or faced with social issues. Housing is a major social enabler, and this Government has always maintained a robust, housing construction programme, to ensure individuals and families can become active and productive contributors to society. Hence, when the last PNM Government demitted office in 2010, the HDC

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produced in excess of 12,000 housing starts, and commenced work on more than 50 new housing communities.

Housing units were built and sold for approximately \$250—\$300 per square foot. These units were sold to successful applicants who satisfied the Cabinet approved qualifying selection criteria, as stated in Cabinet Minute 2730 of September 25, 2008. The criteria included, among other things, that the applicants must not be owners or part owners of property in Trinidad and Tobago, must be first-time homeowners, and the monthly combined household income must not exceed \$25,000. Fundamental to this affordable public housing strategy, the then Government ensured that those who entered the national housing programme were qualified through the HDC processes.

However, Mr. Vice-President, in May 2010, the People's Partnership took control of Government, and of the State's housing programme. During this period, the cost of construction ballooned in most cases by over 200 per cent. Under the PP Government, the cost of construction of housing units increased to an incredible \$1,000 per square foot. [*Crosstalk*] Similar housing units that sold for \$250,000 and \$300,000 a few years prior, are now costing the applicant between \$570,000 up to \$4 million, and that is in black and white, [*Crosstalk*] Mr. Vice-President. We do not need the SSA to tell us that.

It is also important to note that during the period 2010—2015, there were no corresponding increases to construction costs in the construction industry. The escalation in construction costs resulted in an associated increase in the price of the housing units to HDC applicants. These escalated prices were significant even after the Government subsidy was applied.

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Examples of these huge escalations in unit prices found that HDC housing communities include, Victoria Keys, Diego Martin, where units range from \$1.5 million to over \$4 million. Oasis Gardens, Chaguanas, where units range from \$700,000 to \$1.2 million. Cypress Hill, Union Hall, San Fernando, where units range from \$600,000 to \$1.2 million. [*Interruption*] As a consequence, Mr. Vice-President, the majority of applicants and the HDC's—[*Interruption*]

Mr. Vice-President: Hon. Members, please allow the hon. Minister to make his contribution.

Hon. R. Mitchell: Very excited, Mr. Vice-President. As a consequence, the majority of applicants on the HDC's database were disenfranchised, alienated and deemed unable to qualify for HDC housing on account of the price of units being far beyond the reach of the real, low and middle-income earners.

In an attempt to rectify this abhorrence, the People's Partnership amended the qualifying criteria by increasing the qualifying income, from \$25,000 to \$45,000 per month, by Cabinet Minute 464, February 13, 2014. But the effect of that decision, Mr. Vice-President, was the enabling of high income earners, persons in the upper echelons of society, persons who are best able to participate in the open real estate market, to enter into State's subsidized housing programme. Indeed, this decision attracted attention from the well-to-do.

For the traditionally low to middle income target, this decision dashed their dreams for owning a home. It shattered their hopes of accessing state housing, for the very families for whom this housing programme was designed. The HDC rental programme database increased considerably, as this low income segment, desperately applied to access units from its ageing stock of apartments.

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Following our return to Government, Mr. Vice-President, we recognized the disparity in the housing allocation system, which alienated thousands of low to middle income registered earners. We also quickly identified that the HDC had departed from its mandate to provide and make available affordable housing units, to low and middle income citizens. This Government immediately directed the HDC to revert to the original qualifying criteria, by returning the qualifying income ceiling of \$25,000 per household. [*Desk thumping*] Once again, the HDC is properly aligned to its legislative purpose. [*Desk thumping*]

This Government is also reviewing the prices to be charged for those HDC units, which were constructed by the PP Government, at exorbitant costs to taxpayers, in order to ensure that lower and middle income groups are not left out of the allocation process. It will not be a simple task, as a result of the reckless overspending, waste, mismanagement and sqandermania [*Desk thumping*] of the last Government, but this PNM Government is committed to restoring equity, [*Continuous desk thumping*] and value for money in public housing.

At present, there are a number of applicants, as Sen. Mark alluded to, at varying stages of the allocation process. There are 26 applicants who would have signed their sales agreements, and made deposits against those agreements as at September 2015. Those applicants are awaiting allocation as remedial work is being undertaken on their units. There are about 200 applicants from that period who would have—[*Interruption*]

Mr. Vice-President: Hon. Minister, you have two minutes.

Hon. R. Mitchell: Yes, thank you. There are 200 applicants from that period who would have progressed considerably along the HDC assessment process. The

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HDC is now undertaking an extensive review of their qualifying process, to ensure that the true and proper procedure was followed. This review will ensure that all applicants are processed in accordance to Cabinet approved qualifying policy.

In summary, I say, Mr. Vice-President, this administration is mindful of the spirit and intent of the HDC's legislative purpose. We appreciate the need to cater to the changing demographics, preferences and affordability which vary from group to group, and across locations. For these reasons, the HDC is committed to restoring stakeholder confidence, and creating equal opportunity in access to affordable housing to our most deserving citizens.

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

Mr. Vice-President: Hon. Senators, before I put the question for the adjournment, I now invite Members to bring greetings on the observance on the occasion of Corpus Christi firstly, and Indian Arrival Day, subsequently.

Corpus Christi Greetings

The Minister of Labour and Small Enterprise Development (Sen. The Hon. Jennifer Baptiste-Primus): [*Desk thumping*] Thank you, Mr. Vice-President, for the opportunity to bring these brief greetings, on behalf of the Government of Trinidad and Tobago.

Hon. Members of this most august House, citizens of our beloved twin-island Republic of Trinidad and Tobago, I take this opportunity to extend greetings to the Catholic community, as they prepare for the celebration of the Feast of the Body and Blood of Christ, Corpus Christi. This age-old feast day which is one of the few days of obligation for Roman Catholics around the world, is steeped in tradition and is founded, like so many of the other celebrations of this faith, on the

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grounds of belief. Belief that in the Eucharist, there is indeed the real presence of the Body and Blood of their Lord and Saviour, Jesus Christ.

As we join with our Roman Catholic brothers and sisters, who will celebrate the Feast of Corpus Christi on Thursday, we celebrate our own rich diversity and the fact that all things being equal, we still live in relative peace and harmony in Trinidad and Tobago. We are a country of people of many faiths, yet, we coexist peacefully because of mutual respect. We are blessed brothers and sisters and today I want us to recognize how fortunate we are to live in this beautiful country, where Hindus, Muslims, Christians, Baptists and so many other faiths coexist in harmony, when many countries in the world, Mr. Vice-President, are at war, war based on religious differences. With our divergent religious persuasions, we are still united as one in Trinidad and Tobago.

Brothers and sisters, let us learn from our people as we look at ourselves. May we always remember to respect each other, for it is our differences, ideological and otherwise, that make us who we are. May we remember the importance of grounding ourselves in our faith, in whomever or whatever we believe in.

Ladies and gentlemen, Mr. Vice-President, may we all have a peaceful Corpus Christi, and may God continue to bless this beloved nation of Trinidad and Tobago.

I thank you. [*Desk thumping*]

Sen. Rodger Samuel: [*Desk thumping*] Mr. Vice-President, I first of all want to thank you for giving me the opportunity to speak, to wish the Catholic community and the country at whole, a happy and fruitful Corpus Christi and a peaceful one.

As matter of fact, there is so much that we can learn tremendously from the

Catholic community, as they celebrate this Feast of Corpus Christi, in the idea of how much they come together, and how they work together, and how they walk together. The idea of the united approach to their celebrations, which augers well for Trinidad and Tobago, and which would teach us how well we would function, and how far better we would be, if we work together, and if we all come together as one, to ensure a better Trinidad and Tobago.

So on Thursday, the community will celebrate Corpus Christi, a solemn Feast to the Catholic community, to thousands of Catholics in Trinidad and Tobago, as well as Catholics all over the world. It is in this celebration, the Catholic community, the celebrants would take to the streets, and as they take to streets of the boroughs and the cities and the nation at large, bearing replicas of the Crucifix and carrying the Body of Christ on the streets of Trinidad and Tobago, and as well as other countries, exhibiting their faith and being proud of who they are as Catholics in their celebrations. Every Catholic holds the belief in this celebration. So on Thursday what we will find is that as believers in the faith, taking to the streets in unison, walking hand in hand and expressing and proclaiming their faith, and their belief in this sacred order.

Mr. Vice-President, as Catholics hold this day, this feast, very sacred, so we as citizens of Trinidad and Tobago, as we learn from the entire community, must hold this country with the same interest at heart, and that we must place this country above petty grievances as the Catholics would remove their grievances, and begin to hold each other up tremendously.

On Thursday obviously, they will all come together in faith, in the faithful procession, as we need as a nation to come together and work together, so that we can be the kind of people that the world would need to look at, and a place that

would be an example for all to see.

As we do that, Mr. Vice-President, like they would celebrate Corpus Christi, we would celebrate our nation, and we would celebrate our nation in a manner, that is so holistic, as they would celebrate Corpus Christi in a manner that is holistic to the Catholic community, a celebration of their faith in God. They come together as a body of the Lord in the world. They walk and they pray, and they pray for us, they pray for you, Mr. Vice-President, they pray for the nation. They pray for the people of this country, and they pray for the world.

There is nothing selfish in this or how much we need much prayers today, because of the status of our society and the status of our nation. Their strong faith and the power of their love is what is important, not only for them, but to all of us as a nation. Our faith must be strong in whatever we believe, but also, we must also believe that Trinidad and Tobago can be all that God has created it and designed it to be.

6.25 p.m.

I want to, at this point in time, congratulate the Catholic community for having the tenacity and the stick-to-it-iveness to pursue and persist in the midst of all situations. And as we as a nation learn from them, we would recognize seriously that the more we come together, the more we are able to hold hands together, the more we are able to walk with each other and the more we are able to live with each other, the better this place will be and we will be an example to the world, a truth that says, in Trinidad and Tobago every creed and every race will find an equal place. I want to congratulate the Catholic community on their celebrations, and wish them well and wish them God's peace on Thursday. [*Desk thumping*]

Sen. Dr. Dhanayshar Mahabir: Thank you, Mr. Vice-President, for giving me the opportunity to speak and to bring greetings to the Catholic community on this very important occasion of Corpus Christi, and also to bring greetings on behalf of the Independent Bench, again, to the national community on this holiday.

It means, Corpus Christi, really “Corpus” the body, “Christi” Christ. There are certain deep meanings, but I think a meaning to which we can all relate in the national community is that we need to celebrate the fact that Christ walked amongst us in the body and in the flesh, and that as he walked with us he experienced, Mr. Vice-President, what we experienced: our failings, our weaknesses, our strengths, our hopes and our fears. The Christ would have experienced temptation.

We recall the conversation with that Devil when after 40 days of fasting, the Devil asked him: “If ye indeed be the Son of God, why don’t you convert these mountains into loaves of bread.” And I tell you after 40 days of fasting, nothing could be more tempting than a very good sandwich and a Coca Cola. [*Laughter*] But what was the response of Christ? Looking at the temptation steering him, the Christ indicated—it is written, is it not? It is written that man shall not live by bread alone. As Christ walked with us, Mr. Vice-President, we know that he celebrated at the wedding of Cana. He converted water into wine. He wept at the death of his friend. All of this is an example to us that he experienced what we experienced. So that when Christ came to offer us guidance, he did so with moral authority. This was not some distant creator in some distant land who is preaching to us words that man could not fulfilled, because Christ himself, Mr. Vice-President, walked with us in the body and in the flesh.

Some may argue that he was not the Son of God, that he was an inspired being. For those who believe, as the Catholics do, that he was a Son of God, then

there is the code that he left so that we in times of uncertainty would be able to follow his guidance—and billions since have done—so that we could lead better lives in a more harmonious society. But if those of us believe that he was just an inspired man, he left for us certain rules.

We remember the gospel, John 8:7, when he told the errant woman: “Go and sin no more.” He indicated to her: “Where are thine accusers?”, and she said: “They have all gone”, and he said: “Neither do I condemn thee, go and sin no more.” This was the words of someone who taught us that we must obey the law but, at the same time, justice must be tempered with mercy.

And so, as we celebrate Corpus Christi on Thursday, I join with the Catholic community and with the national community in indicating that this is a celebration of an individual who walked with us in the body, who walked with us in the flesh. He felt what I felt. He felt my weaknesses, he experienced them and, therefore, that which he has left for us and which has endured over time is certainly a code that we could follow, and that for those of us who follow Christ, the Christians amongst us who follow his teachings, I say follow it and lead productive lives, and for those of us who do not, learn from his example so that all of us would come to recognize how valuable it was for Christ to walk amongst us in the body and for us to celebrate Corpus Christi. A happy Corpus Christi to all in the national community. Thank you. [*Desk thumping and crosstalk*]

Mr. Vice-President: Hon. Senators, I thank you. I too wish to bring greetings on the occasion and observance of Corpus Christi. It is the liturgical celebration of Christ’s death and resurrection that emphasizes the joy of the institution of the Eucharist. It is interesting to note that the occasion of Corpus Christi is unique in several ways.

Matters on the Adjournment
Corpus Christi Greetings (cont'd)
Mr. Vice President (cont'd)

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Through a vision it was born from the mind of an Augustinian Nun by the name of Saint Juliana, who subsequently became desirous of having a feast within the church devoted specifically to the honour of the holy Eucharist. Despite this desire, it was not acted upon for 20 years, and I can only presume like so many of us today, it was due to the fear of following one's dreams. Nonetheless, once she acted upon her dream, its inception occurred in the 13th Century AD and after more than a few unfortunate setbacks it became widely celebrated throughout the entire church in the 14th Century AD.

The motivation behind the dream, besides unwavering faith, was the feeling by Saith Juliana that Holy Week was often seen as a time of great sorrow and repentance, and that the Eucharist should be a time of rejoicing. As I reflect on the history of the celebration, I cannot help but take away the following lesson: a dream or vision acted upon has the potential to surpassor extend beyond the live of its creator to the greater good of all.

To the Christian community, I wish a merry celebration and a happy Corpus Christi. [*Desk thumping*]

Indian Arrival Day Greetings

The Minister of Rural Development and Local Government (Sen. The Hon. Franklin Khan): Mr. Vice-President, it is with a sense of honour and distinction that on behalf of the Government and people of Trinidad and Tobago, I want to extend happy Indian Arrival Day to the national community and to the citizens of East Indian descent, in particular, on this auspicious occasion, declared a public holiday on May 30, 1994.

Mr. Vice-President, as you are aware, slavery was abolished in 1834 and there was a tremendous shortage of labour on the sugar plantations in the British West Indies,

Matters on the Adjournment
 Indian Arrival Greetings (cont'd)
 Sen. The Hon. F. Khan (cont'd)

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in particular Trinidad and Guyana. And from 1845 to 1917, 140,000 indentured labourers coming out of India came to the shores of Trinidad and Tobago, 1845 to 1917. This year marks the 171st anniversary and next year actually, 2017, would mark 100 years since the end of indentureship. Permit me to become a little personal here, Mr. Vice-President, because out of those 140,000 East Indian indentured labourers, coming aboard the *SS Sotlej* in 1917 with two immigrants by the name of Sultan and Sakina Khan, my great grandparents. Their indentured papers are in a vault in my house, which I protect with my life.

Mr. Vice-President, it is significant because the *SS Sotlej* was the last boat that brought indentured labourers to Trinidad, and do you know what I ask myself: "If dey did miss da boat, where would I have been?" [*Laughter*] So thank God they caught the last boat, ladies and gentlemen, the *SS Sotlej*, and they came to Trinidad. I would stay personal for a little while longer. On arriving in Port of Spain on Nelson Island, they were immediately transferred to the "Lagando" Coconut Estate in Mayaro. The moral of that story, Mr. Vice-President, is I am as "Mayaronian" as they become. [*Desk thumping*] Straight from the boat to the coconut estates of Mayaro. [*Desk thumping*] And to rephrase Prof. Ken Ramchand, who was a former Independent Senator right on the Independent Bench there, whose foreparents was transferred from Port of Spain to Cedros, he coined the phrase: "I am a coconut Indian" and I guess by that definition, so am I.

But, Mr. Vice-President, every Indian Arrival Day and every Emancipation Day, I feel a sense of emptiness, because here we are in Trinidad, both East Indians and Africans, cannot go beyond three generations of their roots. You go to Europe, and they can go 10, 15 generations behind, and you must feel a sense of emptiness. What I have come to conclude is that history and destiny have dealt us a very

unkind hand. But as the saying goes, you can only play the hand that you have been dealt. It is in that context I want to compliment the East Indian community, in particular, that they have played their unkind hand very well.

From cane cutters and barracks dwellers to coconut crackers in Mayaro, they have now elevated themselves to hold the highest office in the land: in education, in business, in medicine, in law, in engineering and in science, and that has been a great accomplishment largely because of self-reliance, hard work, ambition and, most significantly, thrift, family life, all these have contributed to the success of the East Indian community. But I want to say also that Trinidad is a shared space, and no one group should try to seek domination over the other, and it is that context we always talk about our country's diversity, and it has made us stronger rather than divide us and, indeed, we should be justifiable proud of ourselves as a nation as we come to respect and annually pay homage to the different aspects of our cultural heritage.

Mr. Vice-President, Trinidad and Tobago is a model society. There is no institution or legal impediment to upward mobility, absolutely not. We may perceive them in our minds at times when the going gets rough, but there are no institutional nor legal impediment to upward mobility. Trinidad is one of the few countries in the world where in one generation, and I say one generation, you can start at the bottom and reach the highest level in the land.

So it is in that context, I want to say on behalf of the Government of Trinidad and Tobago, on behalf of my own party, the People's National Movement, I extend best wishes to all of Trinidad and Tobago in general, and to the East Indian community in particular and wish each and every one of them a happy Indian Arrival Day. [*Desk thumping*]

Sen. Wade Mark: Thank you very much, Mr. Vice-President. We on this side of the Senate would like to extend to the national community and especially our citizens of Indian descent who will be celebrating the 171st anniversary of their arrival to these shores, and also their rich and indelible contribution to the national, economic, political and cultural development of our nation state.

6.40 p.m.

We hope that the occasion would serve as an inspiration to further cement and consolidate our relentless drive for a united nation living in peace, unity, harmony, and a sea of diversity in our humanity. Mr. Vice-President, the arrival of our brothers and sisters of East Indian heritage is a story of bravery and determination. It is about those who endured life-threatening journeys across the Kala Pani in search of a better life. Over a period of seven decades, from 1845 to 1917, a total of 147,596 Indians came to Trinidad and Tobago as indentured labourers. They came from many parts of India such as Uttar Pradesh, Beha, Bengal and Madras State, but they arrived in Trinidad and Tobago. As we celebrate Indian Arrival Day on May 30, 2016, we need to acknowledge and salute the significant roles of all other groups who came to these shores and would have contributed enormously in shaping and fashioning our society, and giving life to our very admirable diversity.

So we would like, in advance, of the 171st anniversary on Monday, May 30, 2016, to wish the entire national community a happy and wonderful Indian Arrival Day. On behalf of the official Opposition, and on behalf of the hon. Kamla Persad-Bissessar, the Leader of the Opposition, we wish to extend to the entire community of Trinidad and Tobago, and particularly our East Indian brothers and sisters, a happy Indian Arrival Day, to all inside and outside of this Chamber.

Matters on the Adjournment
Indian Arrival Greetings (cont'd)
Sen. W. Mark (cont'd)

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Happy Indian Arrival Day, Mr. Vice-President. [*Desk thumping*]

Mr. Vice-President: Sen. Mahabir.

Sen. Dr. Dhanayshar Mahabir: Thank you very much, Mr. Vice-President. Mr. Vice-President, the Members of the Independent Bench, my colleagues, so enjoyed my greetings on Corpus Christi that they have asked that I bring the greetings on Indian Arrival Day as well, [*Desk thumping*] and so they are waiting with bated breath to see what kind of greeting I will now bring on Indian Arrival Day.

Mr. Vice-President, on behalf of the Independent Bench, I would like to bring greetings. It is traditional on this particular holiday for us to celebrate some of the things we see around us, the “doubles”, the “dhal puri”, the dholak, the dhantal, but, Mr. Vice-President, whenever I contemplate on the reason for celebrating Indian Arrival Day, I recall the fact that there was a time in Trinidad and Tobago when labour and labourers in this country did not experience the same rights as others in the country. There was an absence of mobility, there was the existence of poor working conditions, and contract labour, all the ills which go with that characterized that period of indentureship. It lasted for a very long time, and this steady flow of relatively cheap low-cost labour allowed plantation Trinidad and Tobago to survive well into the recent times.

But, Mr. Vice-President, this issue of the exploitation of labour is something that we need to recognize and to reflect upon, because shortly after the end of the indentureship period, the last worker would have completed his bound in 1922, that is the last ship of 1917, and, incidentally, like Sen. Khan, I too have some direct contact, September 12, 1914, to Moldie Mahabir and Mrs. Mahabir came. They came to the village of Cunupia where they were cane cutters, so they were my grandparents, my father's parents, a bit closer to that particular group. The

stories they told about labour exploitation made me think that we are indeed fortunate so many years later to have had so many strides with respect to industrial relations in Trinidad and Tobago, because in 1919 there was the very first, Mr. Vice-President, recorded unrest where returning soldiers, under the guidance of Cipriani, created the first mass protest in Trinidad and Tobago. They were unemployed.

In 1939 we had the labour riots, but what did we see in September and November of 1937? In September and November of 1937 we saw created two institutions, the first president general of the Oilfields Workers' Trade Union and the first president general of the All Trinidad Sugar and General Workers' Trade Union, a gentleman by the name of Adrian Cola Rienzi, also known as Krishna Deonarine, direct descendants of the immigrants close to the exploitation on the plantations, organized the trade union movement for both oil and sugar. So that after the 1937 riots working conditions in Trinidad and Tobago amongst the labouring classes, immigrant and non-immigrant alike, would be improved over time. If today, as a society, we experience, Mr. Vice-President, stability in Trinidad and Tobago it is because of the early efforts at organizing labour so that there would be no bloodshed as workers agitated for better rights.

As I reflect upon the indentured immigrants and the experience they had, and I reflect today on the fact that we have an Industrial Court, and we have so many conditions, maternity benefits and benefits such as sick benefits, and so on, we realize that there was a time in the history of Trinidad and Tobago when labour relations were such that they would have led to a very unstable economic environment. The indentured immigrants, being the last of that group, created a situation where in Trinidad and Tobago we would know that in the labour

environment, that which we do not wish to have, and we pay respect and homage to those, the last group, who were exploited and who experienced working conditions which were unacceptable, and we say a word of thanks to the sacrifices that they have made, and to their descendants, and to all those in the national community now who have benefited from the improvements in labour relations that we currently experience, I say a Happy Indian Arrival Day to all. Thank you very much. [*Desk thumping*]

Mr. Vice-President: Hon. Senators, I wish to join you in bringing greetings on the occasion of Indian Arrival Day. A day that marks the arrival of our Indian brothers and sisters who, although arriving as indentured labourers, quickly became an integral part of that which makes us unique in Trinidad and Tobago. In adding to our diversity as a people, so too our creativity, resilience and culture grew as a nation. We share as one people our food, our traditions, our troubles, and grow together as one nation under one sun, under one flag. To the Indian community, I take this opportunity to reiterate welcome and greetings that hopefully would have been done all those years ago, allowing me today to say to the nation, Happy Indian Arrival Day. [*Desk thumping*]

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 6.50 p.m.