

SENATE

Tuesday, January 23, 2018

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. The Hon. Dennis Moses who is out of the country. Hon. Senators, I will read the instrument of appointment a little later on in the proceedings.

PAPERS LAID

1. Quarterly Investment Report of the Trinidad and Tobago Heritage and Stabilisation Fund for the period July-September, 2017. [*The Minister in the Ministry of Finance (Sen. The Hon. Allyson West)*]
2. Annual Audited Financial Statements of the Education Facilities Company Limited for the financial year ended September 30, 2015. [*Sen. The Hon. A. West*]
3. Ministerial Response of the Ministry of Education to the Fourth Report of the Joint Select Committee on Social Services and Public Administration, Second Session (2016/2017), Eleventh Parliament on an inquiry into the prevalence of Sexually Transmitted Diseases (STDs) amongst school students and into the general services administered to treat STDs in Trinidad and Tobago. [*The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan)*]

JOINT SELECT COMMITTEE REPORTS

(Presentation)

Public Administration and Appropriations

UNREVISED

Tobago House of Assembly

Sen. Wade Mark: Thank you, Madam President, and welcome back. I have the honour to present the following report:

Sixth Report of the Public Administration and Appropriations Committee, Third Session, (2017/2018), Eleventh Parliament on the examination into the Tobago House of Assembly with specific reference to Accountability and Transparency, Inventory Control, Internal Audit, Sub-Head 02-Goods and Services, Sub-Head 03-Minor Equipment Purchases, Head 04-Current Transfers and Subsidies and Sub-Head 09-Development Programme - Consolidated Fund.

Local Authorities, Service Commissions and Statutory Authorities (including the THA)

Teaching Service Commission

Sen. H.R. Ian Roach: Madam President, I have the honour to present the following report:

Sixth Report of the Joint Select Committee on Local Authorities, Service Commissions and Statutory Authorities (including the THA), Third Session (2017/2018), Eleventh Parliament, on an Inquiry into the Efficiency and Effectiveness of the Teaching Service Commission.

ARRANGEMENT OF BUSINESS

Madam President: Hon. Senators, if I may revert to the earlier proceedings.

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 of the Republic of Trinidad and
Tobago and Commander-in-Chief of the
Armed Forces.

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

TO: MR. NDALE YOUNG

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

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS CARMONA, President as aforesaid, in exercise of the power vested in me by section 44(1)(a) and section 44(4)(a) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, NDALE YOUNG, to be temporarily a member of the Senate, with effect from 23rd January, 2018 and continuing during the absence from Trinidad and Tobago of the said Senator Dennis Moses.

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 22nd day of January, 2018."

AFFIRMATION OF ALLEGIANCE

Senator Ndale Young took and subscribed the Affirmation of Allegiance as required by law.

URGENT QUESTIONS

UNREVISED

**National Calypso Monarch Semi-Finals
(Government Subvention)**

Sen. Wade Mark: Thank you, Madam President. To the hon. Minister of Community Development, Culture and the Arts: In light of fact that the Semi-Finals of the National Calypso Monarch Competition is imminent, can the Minister state when will TUCO receive its subvention and what is the amount of same?

The Minister of Community Development, Culture and the Arts (Hon. Dr. Nyan Gadsby-Dolly): Thank you, Madam President. In 2018, fiscal 2018, the allocation to TUCO is \$6.5 million. The groups were asked, in late 2017, to submit their budget in line with this allocation. However, TUCO has an outstanding loan which was taken against their 2018 subvention and in the budget they presented, they presented no plan that took into account repayment of this loan to the NCC who has been forced to honour the loan. And so, by letter, the Executive Chairman of the NCC, on at least two occasions, asked TUCO—and that is on January 05, 2018 and 11th—for an urgent resubmission of its budget given the fact that the competition is imminent, and the indebtedness of the NCC must be taken into account when their budget is presented, as the loan was taken against this subvention.

Nonetheless, this situation has not been resolved at the moment, however, TUCO has received, on the 27th of November, 2017, two cheques of \$100,000 each, totalling \$200,000. On the 21st of December, 2017, they received an additional \$400,000. On the 19th of January, 2018, they received an additional \$200,000. All for recurrent expenditure as well as competition-related expenses. So while the discussions are ongoing concerning the budget they are presenting and the repayment to the NCC, they are receiving funding to assist in the implementation of the events for Carnival 2018.

Sen. Mark: Madam President, having regard to the figures given by the hon. Minister, which I tally to be close to about under \$1 million and the fact that an allocation of \$6.5 million was allocated to TUCO for fiscal 2017/2018, could the hon. Minister indicate when would the Government be able to complete the allocation of the remaining \$5.5 million to TUCO?

Madam President: Minister.

Hon. Dr. N. Gadsby-Dolly: Madam President, thank you. As indicated, the balance of the allocation has to take into account the repayment of the very significant loan that was negotiated by TUCO against their 2018 subvention, and also, as the Member may be aware, the money given to these special interest groups are given in tranches based on their submission of invoices and so on, and so as soon as TUCO is able to comply with the regulation that they must submit a budget that takes into account their repayment, they will, of course, be able to supply their invoices as expected. However, as indicated, that has not stopped them from getting disbursements of money which we know are necessary to implement the festival.

Sen. Mark: Madam President, could the hon. Minister share with this honourable House the quantum involved in this significant loan granted to TUCO and could the hon. Minister also share with this Senate—*[Interruption]*

Madam President: Sen. Mark, one question.

Sen. Mark: Well, we would like to know the significant amount involved and from which institution.

Madam President: Minister.

Hon. Dr. N. Gadsby-Dolly: Thank you, Madam President. The amount of the loan taken against the \$6.5 million 2018 subvention is approximately \$4.2 million, and that was taken—I do not have the exact name of the company, I do not want to call

it in error.

Madam President: Next question, Sen. Mark.

University of Trinidad and Tobago

(Retrenchment of Workers)

Sen. Wade Mark: Thank you, Madam President. To the hon. Minister of Education: In view of recent reports that close to 300 workers will be retrenched in the next few days from the University of Trinidad and Tobago, can the Minister confirm these reports and inform the Senate as to what steps will be taken to avoid this event?

The Minister of Education (Hon. Anthony Garcia): Madam President, the UTT is not about to retrench workers in the next few days. Discussions are ongoing with OWTU, the workers' representative union and the UTT under my direction, and until we have completed these negotiations and discussions, no decision will be taken. Thank you very much.

Sen. Mark: Madam President, could the hon. Minister indicate to this House what timeframe he anticipates for the conclusion of these negotiations?

Hon. A. Garcia: Madam President, Sen. Mark would know, as a former trade unionist, that negotiations can take some time. I will like to inform this House that I have asked for a meeting of both parties for next week Wednesday. I cannot, at this time, say how long those negotiations will take but a meeting has been carded for next Wednesday.

Sen. Mark: Madam President, in light of the fact that the Minister is on record as saying that the University of T&T is overstaffed, could the hon. Minister indicate, based on the audit that was conducted, what are the numbers involved in a possible dislocation of workers at the University of Trinidad and Tobago?

Madam President: Sen. Mark, that question does not arise. Next question. Sen.

Mark.

Sen. Mark: Do I have any supplemental?

Madam President: No, you have asked two.

Sen. Mark: Okay. I think we need to have three supplementals. We will have to revise the Standing Orders.

COSTAATT

(Status of Employees)

Sen. Wade Mark: Madam President, thank you very much. To the hon. Minister of Education: In view of the contraction in the operations of COSTAATT, can the Minister inform the Senate whether it is the intention of the Government to retrench employees at this institution?

The Minister of Education (Hon. Anthony Garcia): Thank you very much, Madam President. COSTAATT has no intention of retrenching any workers in terms of the proposed contraction in operations for fiscal 2018. The college has normal HR attrition of staff just like any other institution. The proposed contraction of its operations is not outside of what can be expected in the normal economy. There is no crisis at COSTAATT. The college will issue a media release shortly to address the issues relating to retrenchment of employees currently circulating in the public domain. Thank you.

Sen. Mark: Madam President, could the hon. Minister indicate what areas of COSTAATT operation would be affected as a result of the contraction that has taken place? What areas of its operations have been affected?

Madam President: No, Sen. Mark, I would not allow that question. It does not arise from this question or the answer. Next supplemental.

Sen. Mark: The hon. Minister indicated that a media release is expected very shortly from this institution. Could the hon. Minister indicate to this Senate

whether that would include further contractions in its current operations in terms of this release that is to be expected very shortly? Would it contain any further contraction in its operations?

Madam President: Sen. Mark, that question also does not arise so I would not allow that question either. Hon. Senators, the time for Urgent Questions has expired.

ORAL ANSWERS TO QUESTIONS

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Madam President, we want a deferral of Questions Nos. 15, 17 and 44 for two weeks.

The following questions stood on the Order Paper:

Acquisition of Laptops for Secondary Schools

(Details of)

15. Could the hon. Minister of Education state:

With respect to the Government's decision to acquire laptops for use in secondary schools, can the Minister advise as to the following:

- a) the number of laptops acquired as at September 30, 2017;
- b) the total cost of said laptops;
- c) the name of the foreign supplier or manufacturer of said laptops;
- d) whether there is a local agent for the supply of the laptops; and
- e) if the answer to (d) is yes, the name of the local agent and the commission fees paid to said agent as at September 30, 2017? [*Sen. W. Mark*]

Prime Minister's Travel

(Details of)

17. Can the hon. Prime Minister state:

- a) how many times he has travelled abroad on official business over the period June 01, 2016–September 30, 2017; and
- b) the total cost of such foreign travel including that of the official delegation accompanying the Prime Minister? [*Sen. W. Mark*]

Sandals Tobago

(Details of)

- 44.** Can the hon. Prime Minister indicate whether a feasibility study was conducted for the Sandals Tobago project before the execution of the Memorandum of Understanding and if yes, what is the projected return on investment when the project is realized? [*Sen. S. Hosein*]

Questions, by leave, deferred.

Point Fortin Hospital

(Details of)

- 18.** **Sen. Wade Mark** asked the hon. Minister of Health:

In light of the reported delay in works at the Area Hospital, Point Fortin, can the Minister state what measures are being implemented to rectify this situation?

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very much, Madam President and happy New Year to my colleagues in this honourable Chamber. The construction of the new Point Fortin Hospital is 42 per cent complete and work is ongoing. Every effort is being made by all concerned including the design/build contractor to complete the project on time. However, it should be noted that the previous Government mobilized a contractor on the site without executing a Government-to-Government agreement and without finalizing the financing arrangement for the hospital with the Government of Austria for the project. As such, when the new Government assumed office in 2015, there was no

source of funds for this project. Accordingly, the project has to be financed from the Consolidated Fund, that is, from general revenues while this conundrum is being sorted out, and that has been the source of some delay. Thank you, Madam President.

Madam President: Sen. Mark.

Sen. Mark: Yes, thank you, Madam President. Can the Minister indicate to this House when is the expected completion date of the Point Fortin Area Hospital?

Madam President: Minister of Health.

Hon. T. Deyalsingh: Thank you. Madam President, I must make a correction. The Area Hospital, Point Fortin is a 69-bed facility built by the Shell Oil Company in the 1930s. This hospital is not the Area Hospital, Point Fortin, this is the Point Fortin Hospital. So the Point Fortin Hospital is carded to be completed sometime between the first and second quarters of 2019, all things being equal. [*Desk thumping*]

Sen. Mark: I do not know if the hon. Minister is in a position to share with this House the estimated final cost of this particular project.

Madam President: Minister of Health.

Hon. T. Deyalsingh: Thank you, Madam President. It is a 100-bed facility. The cost is \$1.5 billion VAT inclusive. It must be noted that when we came into office, we were able to negotiate with the UDeCOTT to reduce their project management fees by \$300 million. One has to ask: Where was that money supposed to go under the last administration? We saved this country \$300 million [*Desk thumping*] without touching one square foot of space. We also saved this country \$200 million by renegotiating with UDeCOTT for the Arima Hospital to bring down their project management fees. So with those two hospitals negotiated under the last administration, we have saved project management fees of a half of a billion

dollars. Thank you, Madam President. [*Desk thumping*]

Madam President: Sen. Ramkissoon.

Sen. Ramkissoon: Thank you, Madam President. Based on the percentage given, the 42 per cent, does that include the housing, the facilities and everything or just the building of the Point Fortin Hospital?

Madam President: Minister of Health.

Hon. T. Deyalsingh: Thank you. So a construction project has various components: construction, equipment and so on. Different facets like construction will be more advanced, other facets will be slightly less advanced. The overall construction percentage is 42 per cent, overall and that is the figure I have at this point in time, and as I said, to be concluded by sometime between the first and second quarters of 2019 to be up and running. Thank you very much, Senator.

Madam President: Next question. Another supplemental? Yes.

Sen. Mark: Could the hon. Minister indicate whether the problem identified in terms of cash flow from the Treasury has been addressed or is there still a challenge to at least access the necessary funding for this very important project?

Hon. T. Deyalsingh: Madam President, the problem was not craft from the Treasury, the problem was the last administration, in violation of the MOU, did not have the Point Fortin Hospital as a project listed under the Government-to-Government arrangement with Austria. The only project they had listed was the refurbishment and modernization of the San Fernando hospital. To kick in the Government-to-Government arrangement, the MOU has to have in Article 4.4 specific projects. When we came into office, we found to our dismay that we could not access the funding because the project was not listed under Article 4.4. So the project was started ultra vires the Memorandum of Understanding. Between the Ministry of Finance, the Ministry of the Attorney General, the Ministry of Caricom

and Foreign Affairs, UDeCOTT and the Ministry of Health, via the Austrian Embassy in Caracas, Venezuela, we have to put that project as a project under 4.4 of the Articles to have it listed so that we could access the funding.

In the interim, the project is being freely funded from the Consolidated Fund because we did not want to violate the MOU. The last administration did not list the Point Fortin Hospital as a discrete project under the MOU. We had to fix that via the Austrian Embassy in Caracas and that took some time. Thank you, Madam President.

Moruga Fishing Port

(Details of)

43. Sen. Saddam Hosein asked the hon. Minister of Rural Development and Local Government:

Can the Minister indicate whether any private lands have been acquired for the construction of the Moruga Fishing Port:

- i. if yes, from whom have these lands been acquired;
- ii. what is the acreage of the lands so acquired; and
- iii. what is the total cost of the acquisitions?

The Minister of Rural Development and Local Government (Sen. The Hon. Kazim Hosein): Thank you very much, Madam President. The Ministry of Rural Development and Local Government engaged the Rural Development Government, RDC, to undertake the project for the upgrade/ expansion of the fishing port on the facility at Gran Chemin, Moruga. RDC commended the process for acquiring the lands and had identified two parcels of land, namely plot nine and plot 10 with average acreage of 4.62 acres, which would be required for the establishment of a new Moruga Fishing Port.

In January 2017, the Ministry of Rural Development and Local Government

gave RDC permission to proceed to procure the services of a certified land valuator to assess the value of the said lands and also to pursue the valuation of the lands with the Commissioner of Valuations. RDC issued a request for proposal to all land valutors through the Institute of Surveyors. However, only one proposal was received from Raymond & Pierre Limited and subsequently, they submitted a report on the 15th of March, 2017, which identified a market value of 815,000 for lot number nine and 1.870 for lot number 10.

In addition, in June 2017, an estimate was received from the Commissioner of Valuations for the same parcels of land at 525,000 for lot number nine and 885,000 for lot number 10. The attorney-at-law for the private valuator conducted a data search on the title/deed information which found that plot number nine was owned by Louis Delmas and plot number 10 owned by Prism Trust & Finance Company Limited which was confirmed by the Valuations Division, Ministry of Finance by letter dated 17th of October, 2017.

However, Cabinet Minute Note No. 2058 dated November 16, 2017, agreed that the Moruga port will now be undertaken by the Ministry of Works and Transport. Therefore, the process for acquiring the lands for the Moruga port and thus engaging of legal support to handle a negotiation with the owners of the parcels of land and other legal documentation necessary to effect the transfer of ownership will now be under the purview of the Ministry of Works and Transport. The land acquisition process will be completed prior to the start of construction to ensure that the contractor has unencumbered access to the land site. Thank you.

[Desk thumping]

2.00 p.m.

San Fernando Office of the Director of Public Prosecutions

(Details of)

UNREVISED

45. Sen. Saddam Hosein asked the hon. Attorney General:

Can the Attorney General please indicate:

- i. the date by which the Office of the Director of Public Prosecutions in San Fernando will be relocated to its new Gulf City Mall premises;
- ii. the date on which the Office of the Director of Public Prosecutions in Tobago will be relocated to its Gulf City Mall, Lowlands premises; and
- iii. the monthly rental that would be paid for the spaces referred to in parts i. and ii. above?

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Thank you very much, Madam President. I answer this question on behalf of the hon. Attorney General.

In response to i., the Property and Real Estate Services Division, better known as PRES D, of the Ministry of Public Administration and Communications, has concluded its negotiations for the rental of the office block on level seven at Gulf City Mall, La Romain, which has been identified for use by the Office of the Director of Public Prosecutions.

The Ministry of the Attorney General and Legal Affairs and the Office of the Director of Public Prosecutions have completed:

- i. list of the outfitting requirements;
- ii. related drawings for the office layout; and
- iii. the scope of works for the engagement of services of contractors to complete the outfitting.

The Commissioner of Valuation is in the process of completing the necessary recommendations to PRES D so that Cabinet may consider same at the earliest opportunity.

Whilst it is not possible to offer the exact date by which the Office of the Director of Public Prosecutions in San Fernando will be relocated to its new Gulf City Mall premises, if all things work at a steady schedule, full occupancy should be possible by June of 2018.

In response to ii., outfitting of the office space at Gulf City Mall, Lowlands, Tobago is nearly complete. Final works are expected to be completed by the end of February 2018. The Office of the Director of Public Prosecutions can therefore occupy this facility commencing 1st of March, 2018.

In response to iii., in respect to i. above, the rental cost and service charges for the lease rental of office space at Gulf City Mall, La Romain, as negotiated between the landlord and PRESD are as follows: monthly rental, \$248,722 per month, well obviously VAT exclusive; service charges proposed \$75,698, VAT exclusive.

In respect to ii. above, the rental cost and service charges of the office space at Gulf City Mall, Lowlands, Tobago, as negotiated between the landlord and PRESD are as follows: monthly rental, \$61,965, VAT exclusive; service charges, \$47,568. Service charges, Madam President, include charges for electricity, standby generator, water, garbage removal and common area maintenance and security.

Sen. S. Hosein: Can the Minister indicate whether or not additional security would be provided at these two locations?

Sen. The Hon. F. Khan: Additional what?

Sen. S. Hosein: Security measures, having regard to the number of persons that would be in these malls at that point in time of operation.

Sen. The Hon. F. Khan: I just want to go on record, Madam President, it is that these two accommodations for office space was approved by the Office of the

DPP, and it is on the Office of the DPP's instruction that we engage a lease agreement. I am sure that the DPP, being an independent arm of the State, will provide the required security if they so see the need.

Sen. Mark: Could the hon. Minister indicate the duration of the proposed lease for the offices?

Sen. The Hon. F. Khan: I do not have that information before me but it could be easily supplied, but the standard state leases are for three years.

Sen. S. Hosein: Can the Minister indicate whether any arrangements are being made for the Port of Spain location of the DPP's office regarding the office space there?

Madam President: Sen. Hosein, that question does not arise.

Sen. S. Hosein: With regard to the service charges, are they permanent charges?

Sen. The Hon. F. Khan: They are monthly charges, because they are for electricity, standby generator, water, garbage removal, common area, maintenance and security.

Sen. Mark: Could the hon. Minister share with us who are the owners of PRES D or directors of this? What is the name of the organization?

Sen. The Hon. F. Khan: PRES D is the Property and Real Estate Services Division, an arm of the Ministry of Public Administration and Communications. Sen. Mark, you were a Minister of Public Administration. Okay.

Sen. Mark: Okay, all right. I withdraw that, Madam President. I am guided. The owners of the property I am referring to. Do you have the names of the owners of the property that we have—

Sen. The Hon. F. Khan: I do not have it with me but that is easily available and I can provide that in the shortest order.

Fanny Village Government Primary School

(Details of)

49. Sen. Melissa Ramkissoon asked the hon. Minister of Education:

With regard to the Fanny Village Government Primary School that was burnt in 2015, can the hon. Minister of Education advise:

- i. whether construction of the new school has commenced, and if so, the date of such commencement; if not,
- ii. the reason(s) for the delay; and
- iii. how long are the teachers and students expected to be housed at the Community Centre?

The Minister of Education (Hon. Anthony Garcia): Madam President, the reconstruction of the Fanny Village Government Primary School has not commenced due to the unavailability of funds. Therefore, I am unable, at this time, to say how long the teachers and students will continue to be housed at the community centre. However, every effort will be made by the Ministry of Education to construct a new school in the shortest possible time. Thank you.

Madam President: Sen. Ramkissoon.

Sen. Ramkissoon: Minister of Education, since you are unable to give a time that these teachers can be moved, because you are aware that the community center is only outfitted to house Standards 1 to 3. What can be done in the interim for these students, especially Standards 4 and 5 that are in these caravan facilities outside the community centre?

Madam President: Minister of Education.

Hon. A. Garcia: Madam President, as soon as funds become available, we will ensure that a new school is constructed. In the meanwhile, we ask our teachers and our students to bear with us. Thank you.

Madam President: Sen. Ramkissoon.

Sen. Ramkissoo: Madam President, thank you. I was able to visit the school this year and I saw the confusion and I would like to ask, since you are unable to give a time for availability of funds and it was not in the budget 2018, do you anticipate that it would be in the next year's budget or some kind of stipulation?

Hon. A. Garcia: Madam President, I indicated just now that as soon as funds become available we will commence the construction of the school. And, therefore, if it is feasible to have that in the new allocation 2018/2019, certainly we will do so.

A&V OIL AND GAS LIMITED
(OVERSTATED LEVEL OF PRODUCTION)

[Second Day]

Order read for resuming adjourned debate on question [December 05, 2017]:

Be it resolved that immediate action be taken by the Ministry of Finance, as Corporation Sole, to suspend this operator's contract while investigations into the Audit Committee's Report are ongoing;

And be it further resolved that the matter of the overstating of oil production be referred to the Joint Select Committee on State Enterprises for inquiry and report.

Question again proposed.

Madam President: On Tuesday, the 5th of December, 2017, the following Senators spoke on the debate: Sen. Wade Mark, who was the mover of the Motion; Sen. The Hon. Franklin Khan, Minister of Energy and Energy Industries; Sen. Dhanayshar Mahabir; Sen. Gerard Ramdeen; Sen. The Hon. Clarence Rambharat, Minister of Agriculture, Land and Fisheries and you have 19 minutes remaining.

Sen. The Hon. C. Rambharat: [*Desk thumping*] Thank you very much, Madam

A&V Oil and Gas Limited
(Overstated Level of Production)
Sen. The Hon. C. Rambharat (cont'd)

2018.01.23

President, for the opportunity to resume my contribution on this debate of the Motion brought by Sen. Mark.

Madam President, almost six weeks have passed since I was making my contribution and I do not intend to rehash what I said in my first 21 minutes, except to remind you that my contribution on that day was set in the context of five words I used to describe the Motion, and the defence of the Motion put forward by Sen. Mark. And those words, Madam President, if I may remind the House, were: hypocritical, convoluted, premature, unnecessary and dangerous. And in the weeks that have passed, Madam President, we have come to the point now where we could safely say that the Motion is unnecessary. It was unnecessary then and it is even more unnecessary now. [*Desk thumping*]

Let me go back, Madam President, to hypocritical. Because the point I was making, I wanted to make it very clear and I wanted to counter, not only Sen. Mark's argument but any thought in the mind of the population that the Government was dragging its feet in the handling of this matter.

And I went back to a Motion brought by my colleague, Sen. Gopee-Scoon, when she sat in the other place, to make the point, it must be hypocrisy, Madam President, if when in your turn in government you can sit for three years on a report relating to Southwest Soldado, and wait until a Motion is brought in the Parliament to take action and put it on record following several newspaper articles, and then you have the audacity to bring a Motion here, now that you are in Opposition and dealing with a Government that has done everything that it can do to deal with the matter that is the subject of the Motion, and I consider that to be hypocrisy.

You see, Madam President, I also made the point that in the 11 weeks, since

the announcement of what was then confidential, a confidential process, in the 11 weeks since the Leader of the Opposition made the announcement on a political platform, I made the point. There were two audits conducted. There was an expansion of the internal audit. There were media statements by various parties involved in the matter. There were urgent questions and there were questions on notice, and the Government made itself open and available to address the matter which forms the subject matter of the Motion before us today.

And I last spoke, Madam President, as you said, on December 5th. And even since then, as far as I am aware, there has only been one sitting of this House or the other place, where the matter of fake oil has not been raised in a question. On December 6th, the day after I spoke, a question was raised to the Prime Minister in the Prime Minister's Question period. On December 8th, in the other place, there were two questions asked, one relating to the resignation of the Petrotrin President, and one directly on the matter relating to A&V Drilling Ltd. On December 15th, there was no question asked. On January 12th, when the other place resumed there again were two questions, one directly on A&V Drilling and one relating to Petrotrin.

In this House, Madam President, one week after I made that contribution, I started my contribution, question No. 9 on the Order Paper dealt with A&V Drilling Ltd. And last week when we resumed it was not one, not two, but three questions on AV, all of which, and I did not go into an examination of the supplementals, Madam President, but I can assure you that based on my following of the debates in both places, I am confident that on every occasion a question has been asked in one of these Houses in relation to A&V Drilling Ltd. and Petrotrin, the Members have utilized every opportunity on supplemental questions and the

Government has given full responses.

So there is no hiding. There is nothing that has been hidden. The Government took a particular position which, on December 22nd, was eventually confirmed by Petrotrin, and I will get to that. And the position was simple, as I was outlining, there was a course of action to be adopted. This is a commercial matter between Petrotrin and one of its lease operators. They are the parties who are privy to the contract and it is a matter, a commercial matter, that ought to be addressed in the context of that contract and those commercial relations.

Because who best, Madam President, given the complexity of the matter, which attracted not one, not two, but three audits, the expanded internal audit and the reviews by two independent auditors; given the complexity of the matter it ought to have been addressed by Petrotrin and its lease operators in the context of the expertise required and the importance of the subject matter to the contracting parties. And that is what we were saying. There is a course of action to be adopted.

And when I described in the five words I used to describe the Motion, when I used the word “dangerous”, I was talking about interfering with a course of conduct that had been adopted by parties to a commercial agreement and prejudicing that, not only through unnecessary disclosure but uninformed disclosure. And it is not a matter—while it lends itself to bacchanal—that any government, the now Government, should treat with in a frivolous way in the way the LifeSport matter and the audit into that matter was treated.

Madam President, one of the words I used was “unnecessary” and I used it for two reasons. One is, because a course of action had already been adopted, and my point was that we should allow that to flow, and Sen. Mark actually got more than he asked for. His Motion asks for the suspension of the contract. If I may look

at the Motion again, called for:

“immediate action be taken by the Ministry of Finance, as Corporation Sole, to suspend this operator’s contract while investigations into the Audit Committee’s Report are ongoing;”

And I made the point that even if we were to accept the Motion, what the Motion calls for is impossible and dangerous. The Corporation Sole is not a party to the commercial contract and it is a matter for Petrotrin and the operator.

Madam President, on December 22nd, Petrotrin issued a statement that is on its website still, advising the public that the contract of the operator had been terminated. So Sen. Mark has gotten more than he asked for. He has asked for the suspension pending the investigation. We have said that investigations were under way and a lot of things were being done, and Petrotrin has said that the contract has been terminated, and there were issues following from the termination and in both Houses since then, Members have utilized the opportunity to ask further questions.

And let me place on record, Madam President, what the Chairman of Petrotrin said as part of that statement. And he says and I quote:

Adherence to the process is the most important component of the exercise. We are guided by expert counsel and we are committed to ensuring that we do things in accordance with the proper procedure.

And that is all we have been saying and that is all Petrotrin has been saying. And we have reached to the point where the commercial transaction has been terminated and the parties would take the steps which are open to them within the context of the contract.

Furthermore, Madam President, in response to a question asked in this House, the Minister of Energy and Energy Industries is on record as saying that

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Petrotrin has referred the file to the Director of Public Prosecutions. So Sen. Mark has gotten more than he has asked for. The contract has been terminated and the file has been passed to the DPP. And if he believed that the Government, the Corporation Sole or the Minister of Energy and Energy Industries had the power to intervene in the affairs of Petrotrin and its lease operator, I do not think he believes that the Government, the Minister of Energy and Energy Industries has the opportunity to intervene in the work of the Director of Public Prosecutions. And that makes the Motion and what it asks for even more dangerous than it was on December 05, 2017, when I began my contribution. It makes it even more dangerous and it is even less likely that the Government would interfere with the work that has to be done.

And if you were not convinced on December 5th, when I started by contribution, I do not think we have a choice today but to defeat this Motion and put it out of its misery. Not that the Motion, Madam President—as I said, in your absence last week, I commended Sen. Mark on another Motion—is not commendable and all of that. But at this point I think we have to bring it to an end because it is not necessary. It was never necessary. It is dangerous. It is hypocritical. And it will land some of us, if not all of us, in some trouble.

Madam President, I also want to make the point, in relation to—
[Interruption]

Madam President: Minister, you have five more minutes.

Sen. The Hon. C. Rambharat: Thank you. In relation to the word I used, “convoluted”, I think I used the word last week too and I think I heard somebody mutter I always use that word. Because a lot of times I am responding to my colleague, Sen. Mark. I spoke about the convoluted nature, and I emphasized that

the second part of the Motion, the second ask of the Motion, is to have the matter referred to a joint select committee. And I made the point and I emphasized that even though we intended or we would like to go in that direction, Sen. Mahabir made the point that we should look into Petrotrin's affairs. I want to emphasize in responding to the Motion that this is not an investigation or an enquiry into the affairs of Petrotrin. There are at least three committees, as I said, three committees which have the power to look into Petrotrin and they have exercised that power and they have rendered reports.

The Government itself, Madam President, is on record consistently on the matter of Petrotrin, its current operations, its financial state and its future. So this has nothing to do with an investigation, or a review or an enquiry into Petrotrin itself. And even if we were to agree with the Motion, we cannot bind a committee of the Parliament to do something, when the Members are constituted in their committee, they do not wish to do. And we would be wasting our time if we ever led ourselves to believe that we could bind the work of a committee by directing the committee to do something that it does not wish to do.

Madam President, let me just close on this point. Throughout this matter, I have listened to the questions which were asked in both Houses. I have listened to some of the commentary and followed the commentary outside. And this is an important matter. It is a very important matter. But one of the things throughout, I have kept uppermost in my own mind and in my consideration of the matter, is that the blame for this matter could never be affixed to the line Minister, the Cabinet or to the Government. Because, no matter how you feel about it, Ministers and Cabinet Members are seized of certain amount of information.

And in supporting the point, I did not have to go very far. I just went back to

my friends on the other side, and I went back to, as he was then, Sen. Kevin Ramnarine, as he responded to that same Motion brought by my colleague and he makes the point in words that I cannot recreate. He talks about, and I quote:

“A Minister...cannot be omnipresent and omnipotent. As we are in Parliament right now, somebody might be stealing a pump from somewhere in Los Bajos; somebody might be stealing a piece of pipe from somewhere in Parrylands. Should the Minister be held responsible for that? Mr. Speaker, if somebody turns a valve in the wrong direction in the refinery and shuts down a process, who is to be held responsible for that? A company has an organizational structure and responsibility flows from the bottom to the top and back down again.”

And I could not have said it better. I could not have said it better. This Motion ought to fail because it involves Petrotrin and a lease operator contracted by Petrotrin. The course of action which Sen. Mark wishes us to take, we have gone beyond that. It is unnecessary. And if we continue along this path, it becomes more and more dangerous. I thank you. [*Desk thumping*]

Sen. Anita Haynes: [*Desk thumping*] Thank you, Madam President, for recognizing me to participate in this debate on what I consider to be a very important Motion.

Sen. Rambharat referred to the Motion as being unnecessary, and I would like to beg to differ, because while saying that the Motion is unnecessary, he pointed out when he started to speak on December 5th, that Sen. Mark's Motion, we have now gone beyond that, which means that when this Motion was placed in this House it was very necessary, because what Sen. Mark was seeking was that the contract be suspended, and it has now been terminated. So to say that it is

unnecessary, I think is a little disingenuous.

I would also like to address the point on it being hypocritical. If there is one thing I hope to accomplish while being in the political arena and political space is to raise our level of political discourse from, well you did this and we did this and if we could not talk about this because it is hypocritical. I think we should go beyond and now look at the facts as they present themselves.

This Motion addresses that one of Petrotrin operators, A&V Drilling Limited, overstated the level of production over a period of time, and that cost the taxpayers a lot of money and, therefore, it is important. And it is very necessary that we raise it and that we use all forms of scrutiny available to us, including this Motion, [*Desk thumping*] to address the concerns of the taxpayers and the citizens of this country.

2.30 p.m.

So I agree that Sen. Mark has gotten part of what he asked for, which is the suspension or the termination of the contract, and so I think we should also express our gratitude to Sen. Mark and the Leader of the Opposition for bringing this scandal to the attention of the public, and for holding the Government to account.

You see, Madam President, it is an important role and function of a loyal Opposition to hold the Executive to account, and it is a role that we take seriously, and we will continue to take seriously. So where Sen. Rambharat referenced the questions asked and how many times we raised the matter, we can assure you that we will continue to raise the matter and we will keep raising all of these matters and matters similar, in this role of scandal that keeps presenting itself from the Government's side, even though it makes them uncomfortable, because that is our job. [*Desk thumping*] We are here to protect the interest of the citizens of Trinidad

and Tobago.

And, just in the approach to how you look at things like question time and the actions of the Opposition to call it hypocritical, to call it unnecessary, I think that is a dangerous narrative. This is the role of the Parliament, of the legislator, to hold the Executive to account, and this is the second time I am saying this in two weeks, so I feel that the message has to be repeated constantly, because it is not impacting the Government on what we are supposed to do here.

The administration seems to have no intention of being held accountable in a meaningful manner. It seems to be that you say you will answer the questions, but are you really, really participating in this, in a meaningful manner meant to benefit the majority of the people in this country? Do you have a regard for our system of checks and balances? There are words and there are actions and we are hoping that your actions will begin to match your words.

And so, I will also like to now talk about the situation at present, because since this Motion was moved, the situation has changed and the contract has been terminated. But I would like to go to the words of the Attorney General at the post-Cabinet press briefing the day after the contract was terminated. And the Attorney General said that “This government is prepared to investigate itself.” And Al-Rawi said the decision to investigate the fake oil scandal—

Madam President: Sen. Haynes, could you just quote your source and the date.

Sen. A. Haynes: This is from the *Newsday*; the article was by Clint Chan Tack on December 23rd entitled: “AV contract terminated: Petrotrin cancels A&V contract”. The quote is from the Attorney General at the post-Cabinet press briefing, and he said that:

“...the decision to investigate the fake oil scandal was done by the

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Petrotrin's board of directors and Opposition Leader Kamla Persad-Bissessar could take no credit for this.”

And I pulled that quote in particular because, you know, the response from the Government on most issues usually baffles me. And this in particular was a real gem from our very loquacious Attorney General.

Madam President: Sen. Haynes, please, please.

Sen. A. Haynes: The line in particular is that the Opposition Leader could take no credit for this. We are not seeking credit, this is not something that we would tout around as an achievement of the Opposition. What we are looking for, is who is responsible for this gross mismanagement of public funds, of the taxpayers' dollars, this misappropriation of money.

So while the Government is standing with the proverbial egg on its face, you have a situation where in the post-Cabinet press briefing, rather than address what is being done in the interest of the people, you have time to talk about who will take credit. It is not what we are seeking, we are not looking for credit, we are looking to do our job and find out—to get to the bottom of this fake oil scandal.

We had a situation where, in the post-Cabinet press briefing on September 14, 2017, the Prime Minister referenced that the owner of A&V Drilling is his friend and again the responses to this have really baffled me because you are looking at almost \$100 million of public funds and the response does not reflect the gravity of the situation. So you have a fake oil scandal, a corruption stain, and rather than looking at the public interest you are telling me about, who is calling their friend and who should be taking credit, and I am not getting the kind of responses that Sen. Rambharat seems to think the Government is providing, that they are giving us—that they are being held to account.

So in looking at this, and in talking about the treatment of this scandal, everything seems to be heavily political and not seeking the best interest of the citizens of our country. And so, while the Government continues its narrative of, tighten your belt and that we need to sacrifice and everybody needs to make adjustments, and every month we are being told they cannot find money to pay salaries—they are always looking for money to service regular citizens— it seems as if you have a friend in a high space, you can get up to \$100 million for literally nothing. And I think that is something that the Parliament should scrutinize and that this Motion—it makes this Motion necessary because it gives us yet another avenue to deliberate on what was done.

The second curious thing that the Attorney General said is that:

“This government is prepared to investigate itself.”

But we are not prepared to accept the Government investigating itself. We would like a police investigation, a criminal investigation into this matter. [*Desk thumping*]

There are a number of people in this country who believe that the Government is the problem, and so we would not be comforted by the words that the “government is prepared to investigate itself.” That does nothing to us, as a matter of fact, that is worrying and dangerous. And I know that there has been this approach by the Government, when there have been allegations of serious corruption to do things like appoint special investigators or one-man shows. But our system is designed in a way, to protect citizens, so that if you follow the process properly, we would not have to move these motions and do these things to get extra answers, because things would have been done in the right way.

And I just would like to go back to March 29, 2015, when the Government

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was in Opposition and campaigning for office. And I am quoting here from an article from the *Daily Express* entitled “Rowley promises better anti-corruption laws if elected”. And in that, you know, the current Prime Minister promised that the:

“...government have a responsibility to take decisive action, demand transparency and”—to—“hold office-holders publicly accountable to the people they are sworn to protect.”

He went on to say that:

“...corruption erodes the foundations of institutions, departments and ministries and that it is a crime against the moral contract of a democratic nation.”

These are things that you know while you are campaigning but, things apparently easily forgotten once you attain the office you want to aspire to.

You see, I agree with the Prime Minister, it is important. I think he went on to call it, that we are being held by this kleptocracy and it is outrageous that we do have to endure this kind of thing. It is outrageous, I believe that a friend of the Prime Minister could stand accused of corruption and the Prime Minister can say in post-Cabinet that he saw no reason that he could not call him first. That is a problem for me, and it also flies in the face of what was said on March 29, 2015.

You see, all of a sudden we are hearing things about due process and that things have to be done the right way, but in 2015, the rhetoric was, decisive action and people being held publicly accountable. So what is the switch? So for the rest of us, you know— At that time as well, the Prime Minister said:

“Some of us, with the high crime rates, have had our homes, cars or businesses broken into and experienced theft. You would recall how violated

and powerless you felt, how you questioned the absence of order in society. Now imagine we have elected and appointed...officials, whose first and only concern, every day, is to spent taxpayers”’—dollars—“as if it is their very own to do...as they please. It is outrageous that we have...to endure this brutal kleptocracy with its expert kleptocrats heading billion-dollar ministries and State corporations accumulating personal wealth as though it is a perk of the office.”

How do you know this is a problem in 2015, and then all of a sudden, when the tables have turned it is a different story? And that is why I really hope we can move from this idea that, you know, when you are in power you can do one thing and then when you have said another, and you have been on record. Politics is changing, we have access to a wealth of information. Everything you say and do is on record now, even our deliberations here in Parliament. What I say today is on record for life and you can access it and so you can be held to account in a whole new manner. So I find it almost insulting that we can have people come here and say that this Motion is unnecessary and that this Motion is dangerous when what we are trying to do is open up the spaces for public scrutiny and that is something that should be applauded and encouraged at every level. [*Desk thumping*] At that time, Dr. Rowley also said that: “it will not be business as usual.”

So we had the contract terminated, and now we are expected, I assume, to move on. Are we supposed to just say, well it happened, right, the investigation will continue and we move on with our lives as if, you know, this scandal did not impact society and our confidence in our constitutions?

See Sen. Mark’s Motion calls for the matter of the over-stating of oil production to be referred to a Joint Select Committee on State Enterprises for

enquiry and report, and while Sen. Rambharat made arguments as to why this should not be. I think that is the direction we should be moving towards. We should be seeking to empower our legislative arm of Government to be a real check on executive power and not just, you know, a rubber stamp so that the Government, the Executive has the majority so they come here and they can do what they want. We should be empowering the legislators, because it is the representative arm of Government, and it is the voice of the people and as the sign outside says it is “The seat of democracy” and if we are empowering the seat of democracy, then what are we doing? Right. It is a critical part of the Motion, because it puts the Government to test. Are you ready to walk the talk of accountability and transparency or was it just “mamaguy” and “ole” talk? When you wanted to get into Government, “we will be publicly accountable and we will be moving to full transparency” and now all of a sudden everything seems to be shrouded in secrecy and that we are seeing more and more, a movement to solidify power within the Executive.

If you believe in accountability and public scrutiny, you would seek to empower the Joint Select Committee to have real teeth in an investigative matter. I am of the view that the actions of the Government points to an administration that wants to consolidate power in the Executive at the expense of the people of Trinidad and Tobago and that when persons are asking questions, they are either attacked by the Government or they are accused of attacking the Government and this is something we have to move away from because that is what is dangerous in this whole matter. What is dangerous is that when trying to investigate this matter, the media could have been attacked and those things, I think should be raised as dangerous and that we should look very carefully at, when thinking about this fake

oil scandal.

2.45 p.m.

While I prepared for this debate, I reflected on the Orwellian quote that all animals are equal but some are more equal than others. You see, Madam President, almost \$100 million was found to pay A&V Drilling, but according to reports in the media, 287 people are considered fat to be trimmed to save \$41.5 million. To me, that is a reflection of all animals being equal but some being more equal than others because we can find money for this, but these jobs are not important. [*Desk thumping*]

Perhaps, if these people had friends in high places, their jobs would have been a little bit more secure. You see, we found money for A&V Drilling, but we have had to have protests for Ramsahai Hindu School, Reform Hindu School and the Ben Lomond ECCE Centre, Fanny Village. All these schools remain closed because they cannot find money to pay the contractors, but we can find money to pay A&V Drilling. [*Desk thumping*]

I believe that this matter is serious because it takes the public purse into account that where we can have millions of dollars going in one direction—millions of dollars that could have otherwise been put to good use being syphoned off—it should be treated with the utmost gravity. We should be all collectively outraged and we should all collectively be saying that we need to do better as a country and as a society, and it needs to start with the Government because they are in charge and they are responsible right now for fixing and charting the course. And so, to now come here and make excuses, I think it is insufficient and unacceptable.

And so, I would like to express my full support for the Motion that Sen.

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Mark laid in the House and my full support for the continued scrutiny by our Opposition Bench and we will continue to ask questions. And fake oil will continue to be on the top of our list and the top of our agenda, because it is in the defence of the people of Trinidad and Tobago. I thank you. [*Desk thumping*]

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

Thank you very much, Madam President. I am pleased to enter into this debate although I have to admit what my colleague Sen. Rambharat had said, that this debate is almost rendered futile. I think much has been discussed and with the course of events which took place between when the debate was first started in early December and, at this time, there is nothing to be dealt with again. This debate, I can say, is useless and is rendered futile.

But let me respond to Sen. Haynes because this debate is all about Petrotrin, and I do not want all to be lost about Petrotrin which is so very important to all of us. Petrotrin is our legacy. However you take it—and Sen. Haynes is from south and to all of us in the southland including you and Sen Obika, Sen. Franklin Khan, Sen. Ramkisson, who works at Petrotrin and the Minister of Public Utilities who grew up on a Petrotrin camp because his father worked there.

For me, I came from the village of Point Fortin and Point Fortin what it was then it is not now, and what it was then it was because of Petrotrin. And I say Petrotrin but thinking of all the predecessor companies and all the different iterations starting with UBOT and Shell and Texaco and then, of course, the two separate entities which eventually morphed into Petrotrin—Trintoc and Trintopec. And, indeed, there are even our last President—sorry, not our last President, our President who died very recently, President George Maxwell Richards, came out of Shell and there are so many other important persons—Prof. Ken Julien came out of

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Shell, as well as Patrick Manning, our late Prime Minister. This is where he began his career. So Petrotrin as an entity is very, very important to us. I want to commit to this Government's commitment to Petrotrin and to making Petrotrin work for all of the reasons why it is so important now and it was important then more than 100 years ago when they began this whole commercialization of oil process. And, again, it remains important from the standpoint of employment, because there are a number of persons—more than 5,000 persons are employed at Petrotrin. And they take care of about 6,000 pensioners and then all told medical-wise—they are responsible for all of the employees, pensioners, their dependants. So more than 20,000 persons Petrotrin takes care of. So Petrotrin, whatever you may say and whatever challenges they may have now, it remains important to us.

So this debate, as I said—and I want to just support my colleague, Sen. Clarence Rambharat. Again, I think what he meant to say—and he made it clear—is that this matter was brought up so many times, and at all times this Government answered and we responded to all of the questions raised. In any form that they came, we responded. As a matter of fact, I want to put very clearly on the *Hansard* that this Government is committed to responding to all matters before us, Sen. Haynes, and that we would never renege on our responsibility to this nation and to the people of Trinidad and Tobago, which you sought to imply.

I want to tell you that with regard to this issue which you seem to think that there was egg remaining on our faces, there is no egg on our faces with regard to this matter. Petrotrin is a company that, as I said, there were several iterations and it has been in existence for a long time. And just like the development of our country, things happen and you have to change your course and you have to deal with matters which are before you, and this is all part of development. And so that,

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just like our country which has its challenges, so too has Petrotrin. There is no person like our hon. Prime Minister, Prime Minister Rowley, who is committed to dealing with the challenges that are before Petrotrin.

It is that our dear Prime Minister, Prime Minister Rowley, came before this nation—I remember very well it was Christmas 2016—when I thought he was coming to say Merry Christmas and more—and a lot I suppose greetings, et cetera—the Prime Minister faced the nation to speak about Petrotrin, because Petrotrin is not just about Petrotrin employees, it is not about the Government. Petrotrin is owned by the population of Trinidad and Tobago and because of the enormity of the challenges before it, the Prime Minister saw it fit to come to the nation, and then he gave a commitment. He gave the details of some of the scenarios as far as he could have given at that time, and he committed to investigating further and to dealing with the matters before Petrotrin.

And it is so sometime in June—I think it must have been in June 2017—that he called for an investigation—sorry, he appointed a committee under the chairmanship of Selwyn Lashley, the Permanent Secretary in the Ministry of Energy and Energy Industries who has tremendous experience in energy matters, and also knows Petrotrin inside out and a very distinguished group of persons from across this nation were on that committee including Helen Drayton, a former Senator and so on. Let me not go into all of the names; I do not want to forget anybody at all. I say all of this to say that that is the commitment of a Government under our Prime Minister, to dealing with the challenges which are before Petrotrin. Very, very committed. And so, I say that there is no egg on the face of anyone.

And all of these insinuations about friendships of the Prime Minister and so

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on, I want to say—about the friendship of the Prime Minister with the directors of A&V Drilling—I want to tell you that I too knew the director of A&V Drilling and, of course, he is the father of our former colleague. I knew him and so on. And what is wrong with the friendship? What if it was one of my children involved in one of these things? Why would I not pick up the phone and call? There is nothing wrong. What if it was my child involved in an investigation? You would tell me, “Doh talk to meh child”? The point I want to make is this is a commercial arrangement and there was no time lost in Petrotrin dealing with the matter as soon as it came to hand. [*Desk thumping*]

There was no time lost, and it had nothing to do with the Minister of Energy and Energy Industries or the Prime Minister or any of us on this side. It was a matter, a commercial arrangement, as said by my goodly colleague, between the two entities: A&V oil drilling and Petrotrin. And Petrotrin went in at the appointed time, conducted all of the necessary investigations—went out to Catshill which was the location of it—dealt with the matter and then there were two independent investigations by Gaffney, Klein and one other—Kroll as well—external investigator. So the matter has been well handled, but the matter was one that required process. The matter was one that required process.

And my colleague—and I do not need to repeat it—Minister Rambharat, he read into the *Hansard* the release from Petrotrin which gave the notice of termination of the contract with A&V Oil and Gas Limited and, again, he spoke of the question of adherence to process being the most important component of this exercise. So all of the rush to give opinions—I think it was Sen. Gerald Ramdeen who said that we should take the matter to the Fraud Squad and so on—we have a process to follow, not we, Petrotrin had a process to follow, and that is what

Petrotrin did.

I mean—and I could tell you that I would say that I am not afraid to say that Petrotrin is not without some fault in all of this, and there are people who gave opinions on it and so on. I strongly believe that we have to move away from this manual system of measurement which they appear to be still using. I do not think that that is in the best interest. I mean, there are systems—whatever systems in the whole fiscalization process that there are in Petrotrin—they ought to be monitored, and I can tell you it does not appear that they were being monitored. So it is very important especially with all of these partnership arrangements.

Somebody made the point that perhaps we should do away—I think it was Sen. Mark—with this entire lease operatorship programme as a result of this particular incident. I want to say that is, again, a rush to judgment. Get rid of the lease operatorship programme—that makes no sense.

Sen. Ramdeen: Roget say to do that.

Sen. The Hon. P. Gopee-Scoon: That makes no sense. And Roget say to do that, Sen. Ramdeen, and the union may have said to do that as well, but I want to tell you that that absolutely makes no sense to us. That was a particular incident which has been dealt with. The matter is before the DPP. All of the investigations were done, but it does not mean that you must scrap the entire lease operatorship programme.

That programme—all of these partnership arrangements under this lease operatorship programmes which A&V Oil and Gas was engaged in, all of these things are very, very, very healthy from the point of view that Petrotrin was not able to uplift the oil that lay idle at a time when in the 1980s, I believe, when all of these international operators, some of them would have left the country on account

of the environment, at that time. So that there were about 5,000 wells, I think, that were just left idle, and it is so that all of these partnership arrangements came up—the lease operatorship, the farm-outs, the independent production-sharing contracts, and so on. They are very healthy initiatives. They are very healthy initiatives. I think there must be about 24 or so of these lease operatorships and another 23 of the farm-outs and so on and that kind of thing, but the point I wish to make is that these are healthy arrangements.

And again, it gives independent contractors a chance to share in the wealth of Trinidad and Tobago. And, again, the way they operate where they are able to lift the gas out at a much cheaper cost than Petrotrin is, it is an advantage to Petrotrin. At the end of the day, it is significant barrels of oil that are being brought up to Petrotrin for refining and so on. So it is a very, very healthy system of partnerships. So therefore, the notion that we should discount and do away with it I think is a useless one. It makes absolutely no sense. As I said this is about additional oil at a better lifting cost. So the issues will always be with the monitoring and that is what Petrotrin has to deal with, the monitoring.

I know that there are other concerns in the system apart from the fiscalization—monitoring the fiscalization and so on—is the monitoring of the HSE matters because, you know, most operators tend to use less persons and so on, and validly so, you can do the operations with less persons. So there might be concerns that there may not be sufficient enough conformity to the HSE standards and so on, but that is Petrotrin's role—to monitor the HSE, monitor the processes, the fiscalization and so on.

I suppose it is unfortunate that this incident occurred but, again, it is an opportunity to fix it, and it is an opportunity to fix Petrotrin and the system, but not

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to do away with the lease operatorship which is responsible, I understand, for almost 30 per cent of the land production in the south of Trinidad and Tobago.

And again, there was a press release which I want to make reference to and this is from the Energy Chamber in response to all of the allegations of fraud at Petrotrin. I found this on the website. It was a release on the website of the Energy Chamber. "Energy Now" it is called, and it was released on September 12, 2017, giving support into all of the investigations which were taking place, but also giving support to the lease and the farm-out operatorships and the incremental production-sharing contract systems as well, quoting that approximately 50 million barrels of oil has been brought to Petrotrin under this programme founded in the late 1980s. And I want to quote:

"This oil could not have been profitably produced by Petrotrin and would have remained in the ground without the involvement of the smaller local and international oil companies in this programme."

And I say this to say that all of these local and small and independent operators, they are important to the work of Petrotrin. And again, in that particular release, the Energy Chamber highlighted the need to modernize the operations of Petrotrin and to ensure that the highest international operating standards are applied to the company. And I am sure that all of these issues are now with Petrotrin as they seek to, not move on, but to certainly continue their business.

There was another point that Sen. Haynes raised, that we are not seeking the best interest of our citizens. I would not answer that at all, but I want to raise a question with regard to a matter which was spoken to in this debate, and it is the question of the Soldado project again and the Soldado scandal which was raised by Sen. Clarence Rambharat. And again, I am making reference to a matter which was

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debated in this House, Madam President, and two points I wish to raise. Again, the question is whether the Government or the Minister of Energy and Energy Industries should have acted, in the case of this issue, and I want to make reference to an article in the newspaper, April 19, 2015, when the question was put to the then Minister of Energy and Affairs on the Soldado scandal.

“Asked whether any Petrotrin official would face the axe, Ramnarine said:
 ‘That is not my call to remove anyone. It will be for the board and the president of Petrotrin to decide this.’”

So, I want to say, again, Petrotrin has handled this matter as they ought to have handled it. It was not the Minister of Energy and Energy Industries, it was not the Prime Minister, it was not the Government. It was left for the board of Petrotrin and it has been well handled thus far. But the point I want to raise about that scandal, Madam President, at least in this instance, the matter—*[Interruption]*

Madam President: Sen. Ramdeen, I am hearing some talk coming. Please, I want to hear the Minister.

Sen. Ramdeen: I am sorry, Madam President.

Sen. The Hon. P. Gopee-Scoon: At least, in this instance, we know where the matter is now. It is before the DPP, but in that South West Soldado scandal, Madam President, where US \$1.25 million, an upfront commissioning fee which was a breach of Petrotrin’s own contract requirements and its own rules, and within that US \$1.25 million, Madam President, where it is out of that US \$750,000 was subsequently put into an account in Texas in the name of Member Source Credit Union and, again, was then transferred to two private bank accounts at Ellerslie Plaza of Scotiabank, Madam President. Where has this gone? Where has this scandal gone?

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There was a commitment then by the then Prime Minister to deal with this matter, nothing has been said to the public about that \$750,000 which was put into the account of two persons at the Scotiabank in Maraval, and you want to come here and talk about decisive action and not seeking the best interest of the population! If you were seeking the best interest of the population, we would have gotten answers to those questions. [*Desk thumping*] And, to date, there have been no answers to the question as to what has happened with that US \$750,000 out of that upfront commissioning fee which was in itself illegal. This is not the place for it. I am not going to go back into all the email evidence and so on we have that it was an illegal amount that was issued; but the point is, where is your commitment to the population of Trinidad and Tobago? Where are the answers on that scandal left unanswered?

So, as I said, I do not know that there is much to say on this again. I think the matter has been well ventilated and well spoken to and well addressed by my colleagues Sen. Franklin Khan and Sen. Clarence Rambharat, but we know where this debate must now go. It is the end. There is nothing to debate again on the matter. The matter is before the DPP. All of the investigations have been done. I see no point in going further on this, but just to say that I think that the challenges that Petrotrin now faces are well before this Government, and it is a responsibility that we are taking very, very, very seriously.

It receives the attention of the energy committee—the Standing Committee on Energy; it receives the attention of the hon. Prime Minister. We are, indeed, acting in a very transparent way—we are accountable to the population—and at every length and breadth of this we are speaking to the population on matters about Petrotrin because Petrotrin, again, it remains our legacy. It belongs to the people of

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Trinidad and Tobago and we owe them the course of action which we are taking towards Petrotrin. Madam President, I thank you. [*Desk thumping*]

Sen. Khadijah Ameen: Thank you very much, Madam President. Madam President, as I rise to contribute to this debate on private Motion No. 1 brought by Sen. Wade Mark, I cannot help but admire the speaker who went before me for her effort to try to defend the Prime Minister of Trinidad and Tobago in this circumstance.

Madam President, in my contribution, I intend to briefly outline—well, I should say reiterate, because some speakers before me already outlined the importance of Petrotrin to Trinidad and Tobago and the national economy—as well as, Madam President, to answer some of the questions asked by those on the opposite side—the insinuation that this Motion is not important—and for us to look at the Prime Minister’s handling of the matter and the signal it sends to the country as to how wrongdoers ought to be treated, as to how whistleblowers ought to be treated—because we have heard the Attorney General speak about whistleblower legislation to come—and how the tone at the top sets an environment around wrongdoing, around the perception of hypocrisy and double standards, particularly when it comes to justice and law enforcement and the attitude it creates in our society to law and order and the repercussions it could have on violence in our society, and especially where we have seen an insurgence already in this country, but where we are surrounded by countries who have social unrest because of that double standard and that hypocrisy from the top.

Madam President, I think almost every speaker before me on all three benches had indicated the importance of Petrotrin to the national economy, that its refinery provides fuel, provides jobs, provides that security, energy security, and

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the uncertainty that we have seen surrounding the company in the last few months, in particular, but also going back to the installation of the current board, the circumstances under which the board resigned and the other uncertainties and comparing that to what we had in 2010 to 2013.

Madam President, I just want to refer to an article in February 2014 to compare the confidence expressed by international organizations—“BHP Billiton to invest US \$1 billion towards deep-water exploration in Trinidad and Tobago”, February 04, 2014. In a release they indicated that they were:

“...very optimistic about our business here in Trinidad and Tobago, as it remains an important part of BHP Billiton’s global petroleum portfolio. By entering this new deep water exploration phase, BHP Billiton has committed to over US\$500 million for the first exploration phase and about a further US\$500 million over the optional phases. We believe”—this is continuing the quote—“deep water, though largely untested in Trinidad and Tobago, has tier 1 potential...”

That is one, I think, something that was expressed in 2014 that I think the Government, the present Government—something that was expressed in 2014 that is as a result, a direct result of the People’s Partnership policies towards the energy industry and something that the Government has let slip—the present Government has let slip in terms of continuing with those arrangements and those trends.

The President of the Energy Chamber, also in February 2014, he spoke about the policies. He said:

The increase in drilling that we have seen has come about because of policy measures introduced by the Government and specifically the series of fiscal reform measures introduced in successive national budgets between 2010

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and 2013.

Madam President, there are many examples of the good firm stewardship of the People's Partnership in Government in the energy sector. [*Desk thumping*]

3.15 p.m.

Madam President, I cannot speak about this scenario without touching a bit on the process that was at fault. Madam President, some speakers before me spoke on it so I just want to leave out those parts in terms of how the exploration is done, the exploration from the fields, exploration and production, and the fact that there could be errors, the fact that there is a threshold minimum 2 per cent difference that is allowed, that is considered acceptable, metering error by international standards. Deviations beyond that 2 per cent limit had been received and reporting higher volumes. There were deviations beyond the 2 per cent limit in the case of A&V reporting higher volumes than received, and the amount over were reported from January 2017, and the more-than-2-per cent deviation persisted, and that prompted the investigation by Petrotrin, the Internal Audit Department, and this audit was initiated in February of 2017. The Petrotrin internal audit revealed that the anomaly was at the Barrackpore tank farm and that it was further traced to A&V Drilling, A&V Oil and Gas Limited in the Catshill Field. And what you had, Madam President, that caused the heat to turn up was the fact that all of this would have been happening over quite some time, in fact, since 2015, from the reports I understand. But it was only when the Leader of Opposition, in September of 2017, made the findings of the internal audit public that Trinidad and Tobago knew of the corruption that was taking place in Petrotrin.

Madam President, the Minister of Agriculture, Land and Fisheries indicated that this Motion is unnecessary. Madam President, he may also find that it was

unnecessary for the Leader of the Opposition to make the disclosure, if we are to take the words of their leader, the Prime Minister, in reaction to the Leader of Opposition's revelation, and I do not even know if it is parliamentary to repeat the word he used, and I certainly do not intend to use it here. Madam President, he calls this unnecessary, the public disclosure that prompted Petrotrin to initiate two separate investigations, and you had international Kroll consulting, and so on, I am of the firm belief that this came about because of constant public pressure because the information was made public, otherwise, Madam President, this matter could very easily have been swept under the carpet and would have remained one of those mysterious things that we hear about when we read the list of PNM corruption.

Madam President, the Minister of Agriculture, Land and Fisheries called this Motion hypocritical. I find it hypocritical of him, as a former columnist before he came into active politics—I do not know if he was actively involved with the PNM at that time when he was writing for the newspaper, but I know on several occasions his articles mentioned the importance of transparency and accountability, and so on, and here he is calling this Motion, which is just that, the Opposition doing its work in keeping the Government accountable, and he is calling this hypocritical. I find it hypocritical of him, given his expressions in the past, to attack this Motion.

Madam President, the findings of the investigations have now been forwarded to the Office of the DPP. We started to debate this Motion six weeks ago. In that time there have been several developments, but I think the outrage by the citizens, coupled with—I mean, the Members on the other side must feel some degree of shame, and my colleague mentioned, very nicely, put it very nicely in

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terms of the egg on the face of the PNM, and the fact is I know that while they are required to publicly defend their party and defend their leader and his utterances, as baseless as they may be, the fact is that they must within themselves feel some level of shame that this scandal, in particular, is so intimately closely interconnected with their party; not just the Government but with their party. [*Desk thumping*]

[MR. VICE-PRESIDENT *in the Chair*]

Mr. Vice-President, this brings me to, and I think it is important to remind Trinidad and Tobago, in light of the Minister of Trade and Industry, I think, or one of the speakers before on the Government Bench, indicating that—sorry, it was the hon. Sen. Rambharat, Minister Rambharat, indicating that the line Minister is not responsible, that the Prime Minister is not to be blamed, that the Cabinet is not to be blamed, and I suppose the entire Government is not to be blamed from their perspective. Mr. Vice-President, the person responsible for the—I “doh” even want to say, mistakes in the tallying, because they were not mistakes, but the deliberate ripping off of Petrotrin, an employee who we now know is Vidya Deokiesingh was a candidate selected by the PNM for the Siparia constituency on more than one occasion. He fought the elections and continued to be intimately involved with the party, he had a relationship with the PNM party, and was an agent of the party. It just so happens that the Chairman of the PNM happens to be the line Minister and the Minister of Energy and Energy Industries, so in this way, of course, there will be questions as to the relationship and the association given the party lines and responsibilities, and that same Minister being the Chairman of the PNM party.

So for anyone on the other side to get up and try to pretend that there is no blame to be had, I mean, maybe you can save that for when you have a political

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meeting of converted PNM supporters, [*Desk thumping*] but the fact is that the citizens of Trinidad and Tobago can see very clearly that the strong relationship of the PNM—I do not want to say agent, but the PNM party and the persons representative of the party as the wrongdoers in this case. [*Interruption*] Thank you, Mr. Vice-President. Mr. Vice-President, I was very shocked to hear the Minister of Trade and Industry, a few minutes ago, in trying to defend the Prime Minister, say, so what if the Prime Minister called his friend—[*Interruption*]

Sen. Gopee-Scoon: So what.

Sen. K. Ameen: And she is repeating across the floor, so what. Mr. Vice-President, I live in what is considered an at-risk community, we hear so much about police corruption, just as the Minister said, so what if the Prime Minister called his friend, so what if the police officers who are going on a raid call the drug lords, so what if they tip-off the wrongdoers, so what if I called them because they are my friend whether they are criminals or not. That is the message that you are sending. [*Desk thumping*] That is the message.

Mr. Vice-President, and as I listened to the Minister of Trade and Industry, I was remembering a song, and when I looked it up I realized it was the Calypso Monarch from 1967, the Mighty Cypher, “If the priest could play who is me”. That is the message you are sending to the criminal element in the country. That is the message you are sending to people who are involved in criminal activity, in the drug trade, in guns, and in trafficking, whatever area of law-breaking that you can consider, because corruption is happening at the top. And you have a double standard by the Government, an approach to me that breeds lawlessness, when they see those at the top, the wrongdoers, the friends of those in high places in society going unpunished, or being defended in public. And you know what happen, Mr.

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Prime Minister—sorry, Mr. Vice-President. Maybe that is a sign of things to come. [Laughter] But, Mr. Vice-President, I think when we consider what is happening in society now: we have a murder rate that is record-breaking, we are probably 49 for the year, and we have had more than two and three murders every day, since, in fact, even last year. But what we are seeing is so much anger, the violence that is happening in our society, and so many young people are affected by the violence, but we also see an anger against the establishment, an anger against governance and law, and law enforcement, and a lot of it has to do, I think, with that double standard, the corruption within the police where police officers, corrupt police officers protect their friends who are criminals, and then you are seeing the Government sending a signal that it would defend—and the very Prime Minister by his own utterance, speaking out almost in defence of a person who was named in wrongdoing. And that signal, I think, is a very dangerous signal, and the PNM and the present Government cannot expect to fight crime in our society when this is their approach to our lawbreakers.

Mr. Vice-President, I also want to go on to another area that I think the Minister of Trade and Industry may not be aware that the words of the Prime Minister would have an implication on. I am happy to hear, over the past 20-something months, the Government talk about whistle-blower legislation. I look forward to it. We have not seen anything, but the fact is that people who commit, people who expose and bring information forward of any kind, there is a certain cultural approach in terms of how we treat them. But the Prime Minister's response to this wrongdoing, and his attack on the Leader of the Opposition sent a very clear message to the nation as to how whistle-blowers would be treated by his Government. Whistle-blowers, Mr. Vice-President, have been extremely important

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in world history in terms of bringing forward information, and a whistle-blower is any person who exposes any kind of information or activity that is deemed illegal, unethical, or not correct within an organization, whether that organization is private or public, but more so, Mr. Vice-President—[*Interruption*]

Sen. Gopee-Scoon: I am on my feet. Mr. Vice-President, Standing Order 46(1).

Mr. Vice-President: Yes, Sen. Ameen, I was just about to ask you to tie-in what you are saying with the Motion that is before us. You are talking about whistle-blower, so if you are making a connection, make it and move forward; if not, then get back to the Motion at hand.

Sen. K. Ameen: Yes, Mr. Vice-President, thank you. Mr. Vice-President, my point is that the words of the Prime Minister, the attack on the Leader of the Opposition, as the person who brought the information forward to the public, sent a message in terms of how whistle-blowers are to be treated, but I think it is important, while the word has been used, to share, because when we speak in Parliament, we not only speak to ourselves but also to the public, to share in terms of what a whistle-blower is, and how important that is in the scheme of things, and how it is important for our leaders, starting with the Prime Minister, to send the correct message when it comes to whistle-blowers and law-breaking in Trinidad and Tobago. [*Desk thumping*]

So, Mr. Vice-President, I appreciate the opportunity to share with Trinidad and Tobago that—[*Interruption*] Mr. Vice-President, the organization in question here is a public organization. The information that is coming out, that is being revealed by a whistle-blower, and it could be a member of the public, it could be an employee of that organization, and I think, Trinidad and Tobago, we ought to educate ourselves on the importance of whistle-blower, and protecting

whistle-blowers. So the information of alleged wrongdoing can be about a violation of a company, the company's policy or rules, violation of the law, violation of some regulation, for instance, or something that would be a threat to the public interest or national security, as well as fraud and corruption, as in the case of Petrotrin and A&V Drilling. I think it is important to tie it back so that the Minister would not keep asking, what is the relevance? Mr. Vice-President, whistle-blowers provide us with the reports we need to be able to address specific issues and to engage with Government to close loopholes. *[Interruption]*

Mr. Vice-President: Senator, I think you have made your point with the whistle-blowers. If you have another point to make, you go ahead and move forward.

Sen. K. Ameen: Thank you, Mr. Vice-President. Mr. Vice-President, before I wrap on the whole idea of treatment of whistle-blowers, I just also want to add that the message from those in authority could serve to, in terms of the negative implications, if those in authority, whether it is the persons in Government or the persons who are in charge of the company, so that they could attempt to humiliate or attack the person's character, or undermine the person's credibility, but the whole point, Mr. Vice-President, the positive that should be coming out of this, one, is so that we as a society would be able to commend whistle-blowers for coming forward, we could allow the matter to be independently investigated, as did take place in this situation thanks to the public outcry and the demands of the Opposition, to take appropriate action against the wrongdoer, and to put measures in place to prevent the repeat of this or any other similar circumstances, any other similar wrongdoing. So I think it is important for all the information that has come forward for that to be used to ensure that there is never ever a repeat of A&V

Drilling “fake oil” scandal in Trinidad and Tobago.

Mr. Vice-President, I recall some time ago a reporter—many times in these issues you have reporters who are coming forward, and I remember there was a reporter, I think from TV6, who had a death threat and he had to leave the country for some time, and I trust that this will not be a norm, that we will continue to, as a Government and as an Opposition, create an environment to allow wrongdoing to be exposed in Trinidad and Tobago. Mr. Vice-President, I want to reiterate the importance of this Motion and to indicate that it does not only have implications directly in terms of Petrotrin, in terms of the A&V Drilling, but it is an opportunity for the PNM as a political party to send a message about how they will treat with party officials who are involved in embezzling moneys from the State, how they will treat with it as a political party, because the both parties, in this instance, one has been a PNM candidate on more than one occasion, and the other one has been publicly declared as a financier of the PNM, and, incidentally, it just so happens that the line Minister, the Minister of Energy and Energy Industries is the Chairman of the PNM party. So I think this is an opportunity to see how the PNM, as a political party, treats with that sort of mismanagement—well, it is not, it is corruption. I wanted to use a “nicer” word, but it is corruption, it is embezzlement.

Mr. Vice-President, I also want us to reiterate as we move forward, as we think about taking our country further in terms of managing crime on a whole, in terms of the message that leaves the top, it cannot be one of tolerance, it cannot be one of protecting friends; it has to be one where we encourage even the ordinary citizen to come forward. And I think the Prime Minister erred seriously in attacking the Leader of the Opposition for bringing the information forward, because it sends a message in terms of how we treat whistle-blowers. I think he

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erred in declaring that the owner of A&V Drilling was his friend and that he, in fact, called him up, because it sends a message even to those who are in law enforcement as to what is acceptable, and the whole idea of snitching and tipping-off, and so on. So as we go forward I hope that I will be able to share with the Opposition [*sic*] as to why this was important, because even though the matter has been sent to the DPP, even though a number of the requests in the Motion have, in terms of the development over the last six weeks, we have seen those things happen, there are bigger implications to this issue, and I hope that the Members on the other side would be appreciative based on what I have shared today. Thank you. [*Desk thumping*]

Mr. Vice-President: Sen. Creese. [*Desk thumping*]

Sen. Stephen Creese: Thank you, Mr. Vice-President, the Senator. I want to start off by getting the gender right, you know. I have fluctuated during the course of today on the question of actually participating in this debate, because part of our problem, even in this matter, is that because we are a small island, small island state, there are all kinds of relationships that sometimes you know of, sometimes you do not know of, and when the Minister of Trade and Industry started to name all of those who—[*Interruption*]

Sen. Gopee-Scoon: I forgot you.

Sen. S. Creese:—and she left me out, [*Laughter*] I wanted to at least correct the record, because, yes, I grew up on one of these oil company residential camps, and the Minister of Public Utilities probably is no more than 400 yards away from where I grew up, so effectively he was my neighbour. So the predecessor company, Petrotrin, I grew up in that environment, originally called Apex, and I worked for a short while for Tesoro, which is down the road from Apex, all the

way through to Trintopac to Petrotrin, and in the course of the investigations done so far mention was made of Gaffney, Cline. And the hon. Minister of Public Utilities would probably tell people that Gaffney, Cline was actually my neighbour, and that is way back in the 80s—the 70s actually, 70s to 80s.

So it would seem that inexorably I am drawn into this debate.

But I started by saying, because we are a small island there are all of these threads, these relationships, and at a family gathering it was pointed out to me that a very senior public figure, his grandfather and my grandfather are two brothers, small island. I know of another one who is a first cousin who is a public figure as well, in this case not in the State sector but in the union sector, who would have been speaking on this matter in other places, so that is why I was shying away from myself getting involved, but so be it.

The thing about all of this is that, and, you know, I remember when I was at UWI they described our economy as an open petroleum economy, and with all that goes with the implications of that. So small island state, lots of interconnections, so are we going to challenge our Prime Minister because it is a small island state, and a contractor somewhere, a supplier somewhere else is a friend or a relative? We have to proceed, and we have to give people, I think, in all fairness the benefit of the doubt that when they are operating publicly, they are operating within the four walls, within the parameters of their office until something else is established, because, you know, we tend to go for a lot of innuendo, a lot of talk on the “grape vine”—well, these days, social media, which sometimes is very unfair to public officials, and I would not want to be a party to that kind of cynicism and cynical treatment of public officials, especially our Prime Minister.

So that I think that the approach in all of this, and not that I am objecting to

Sen. Mark's, you know, raising of the issue, but I think we need to get it in context, and, certainly, context to me is that if we are to discuss Petrotrin, and things pertaining to Petrotrin, quite frankly, I would have preferred to be discussing Petrotrin's continued role in the national economy, because before I close there is a recommendation—I would like to use the opportunity to put on the table, because Petrotrin is the subject matter here, and I think no opportunity should go a-begging for engaging people's mind on the question of the best use, the future of Petrotrin within the economy of Trinidad and Tobago, particularly in the context of the Government's plans, vis-à-vis, diversification. But to return to, you know, the mainstream issue which is, there is an allegation that some impropriety took place at Petrotrin, and, again, I think the overriding theme here is what happens in a small island state, because that name they keep calling, the employee, and reference is being made to the fact that he was a candidate, maybe more than once, who went up against, what is now the Leader of the Opposition, and what was once our Prime Minister, in the Siparia constituency; problems of a small island, because that successful—perennially successful candidate in Siparia, in another dispensation, in another role, I think most people here would know that I was a CEO at the Siparia Corporation, and one of the things most of the CEOs do is also function as the Returning Officer. So in that context, I was the Returning Officer for the seat of the hon. Kamla Persad-Bissessar. So the circles real small, and we keep running into each other all the time.

3.45 p.m.

But one of the things not mentioned about the employee of Petrotrin—and I thought that the speaker before me might have mentioned it, because I am sure it is in her knowledge, but the newspapers seemed to have overlooked that fact; and it

is the first time I came across a male person with the name “Vidya”, that is usually associated, but I think it might be spelt slightly different—he was my Chairman at the Siparia corporation. But he was the Chairman of the Siparia Regional Corporation when I was the CEO there. Small island, we keep running into each other all the time. So we have to be very careful always to give each other the benefit of the doubt and to allow due process to take its course, wherever that goes and however long it takes. Because it is people’s reputation, it is their family and so on, whose good name and whose comfort zone you are interfering with when you take for granted, or you allow or you support an atmosphere in which rumours, allegations abound, and people are not allowed a fair opportunity in the right place, at the right time.

So we have to be careful that we do not try people on the streets; we do not try people here in the Parliament, that we enquire. That is the role of the joint select committee as I see it and the role of Parliament, but it is the business of the courts to try people for criminal offences. So it is on that basis that I decided that I should participate in this debate so as to make that abundantly clear. It is not our role, and we should not lend support to that wicked national pastime of trying people before the courts do; of trying people, you know, in the media, in the press, on the street corner, in the rum shop, as one public figure was known to say, and that we do it in the proper place in fairness to them and particularly their families. So due course, due process.

In that regard, I note what the Chairman of Petrotrin has been saying in terms of how the company is proceeding, and I do not have a problem with that. It is better to be a day slow than to be precipitous and destroy people unfairly. So that really is my concern over this matter and how things have been progressing.

To me there are people, and I stand to be guided, in that, as I understand it—and lawyers present could intervene and correct me—that the Director of Public Prosecutions has the authority to pursue matters on his motion. Am I correct in saying so? In which case from whatever he may glean publicly, he may proceed, and thereby subvert any other process that a company or whoever may engage in. So in that regard, and unless we are saying again that the Office of the DPP has been found wanting, then due process ought to take place and we refrain from whipping up a public hysteria that really does no good. Today it is me, tomorrow it is you.

Again on that note, due course, proper procedure, allow it to take place, allow it to flow, good, because a day is not much, a month is not much. We have people in Remand Yard there for years; sometimes they are found guilty and they have to be sentenced. And my experience working in the Office of the Ombudsman, there were quite a few cases where the people had to be sentenced to time served, and in one we had to rush to get the man out so that time served would not be more than the possibility that the offence could carry.

So we have to be wary. Good? We cannot let the euphoria of being politically ahead on any matter make us forget that we are all human and we all could err, or sometimes the information that is out there is not all that there is, and we could jump to the wrong conclusion and be calling for the wrong heads. So I ask, not just this House, but the national community, to be wary of being a lynch mob on any issue. Allow the system to operate.

I still think with all the difficulties, with all the people who are in the Remand Yard—and I used to, in another incarnation, take prisoner complaints. With all the long years out there, with all the mistakes that sometimes happen in

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the court, because I was party to facilitating someone who had not been tried, but who was down Carrera, who had been down Carrera for two years and whose case had not been terminated, had not finished in the court. As a matter of fact, it did not even start. They had sent him for mental assessment and through a slip-up he ended up down Carrera for two years, telling his story to everybody and nobody “eh” taking him on. So I am very wary, and I know all the limitations of the judicial process, but I still insist that it be allowed to flow in fairness to all.

I am one of those who am against the death penalty, to be quite frank, because I think—[*Interruption*]

Mr. Vice-President: I think it is time to bring the point that you are making in, and if you have another point to make, I would invite you to go ahead and make it.

Sen. S. Creese: Thank you, I will be so guided. So in that regard, I appeal to this House and to the national community to allow the process to take its course, and wherever it goes, we should respect that.

On that note, I thank you.

Sen. Ronald Huggins: Thank you very much for this opportunity, Mr. Vice-President, to contribute to this Motion.

Mr. Vice-President, Petrotrin has serious issues and therefore we are of the view that only a serious government could be ready to tackle these issues. The Prime Minister has made it quite clear that the mission is to fix Petrotrin once and for all. Of these challenges, Petrotrin still remains a very vital and important institution in Trinidad and Tobago.

Early in 2017, Cabinet approved a committee to take a look into Petrotrin, make some recommendations. They found a number of challenges, and therefore this situation with A&V may be one of those categories of challenges which we

must face in order to bring Petrotrin into a viable state.

Now, I listened to some of my colleagues on the Opposition Bench, and I thought that there was need for some clarity. I am always very refreshed also when I hear from the Independent Bench. I would like to thank Sen. Creese for his contribution, because process is important, and the moment we as a society start neglecting process, that is when everyone gets in trouble.

Now, I heard my colleague speak about the Opposition Leader not wanting to get credit for the pronouncement that she made. I am always amazed at contributions that come without any solid base or foundation, it leaves you baffled at times. So I would understand why my colleague, Sen. Rambharat, would have placed on the record his view that there is some element of hypocrisy here.

Now, there is a lot said about public outcry concerning A&V, and yes there may be public outcry—there is public outcry—because like the public, the Government also wants to get to the bottom of this. So it was a bit surprising also to see my colleague, Sen. Mark, actually return here with full force for us to continue this debate on this Motion, given the activities that transpired in terms of A&V being terminated and other developments.

One of my colleagues spoke about politics changing and things being on the record now, and there is increased need for accountability and so forth. We are fully aware of this, Mr. Vice-President, and therefore I think that in terms of public record, my colleague who raised that issue may do well to reflect on public record in terms of the tenure of the people of the institution, the party that they represent.

They spoke about confidence in our institutions. Mr. Vice-President, when the People's National Movement sought to seek its mandate from the people of Trinidad and Tobago in 2015, we had to make it very clear that one of the first

items on our agenda was to rebuild public confidence in our institutions and in our leaders and representatives. That is because of the experience that they had for five years. There is public outcry. There is public outcry on a number of issues—a number of issues in the public domain—but as a responsible Government, we understand process.

There is public outcry over investigations that are ongoing, which I would not rehash here—there is public outcry. Persons are saying that period, 2010 to 2015, was one of the most corrupt periods that they have ever experienced. [*Desk thumping*] And there is public outcry to put some of those persons accused of wrongdoing in a place—I do not want to say—but in a place where—in the right place, you know. And some persons even say, “Aye, if allyuh doh put dem in the right place, you would have to work twice as hard to get meh vote”, because they know the kind of ridiculous things that took place under the former administration. I just had to clear that up.

Mr. Vice-President, there is a lot of negativity that flows at times from persons on the Opposition Bench—a lot of negativity. But I would like to urge the citizens of Trinidad and Tobago, in the words of Albert Einstein, to stay away from negative people, because they have a problem for every solution.

And as we stand here, I would like to say that there is a lot of hypocrisy in this Motion, and we on the Government Benches are committed, as our responsibility, to ensure that we treat with matters as they arise. Even though they may be frivolous at times, but the responsibility of the Government Benches here is to treat with all those matters as they may arise in the public interest.

Mr. Vice-President, I would like to also touch on that note of accountability, because our Prime Minister, Dr. Keith Christopher Rowley, and this Government

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has been the most transparent and accountable government that this country has seen. [*Desk thumping*] I say that because the Government continues to be available to the public. The Prime Minister continues to make himself available to the public via consultations, addresses to the nation, radio programmes. So accountability and transparency is something that we in the People's National Movement, in the Government, seek to embody, because those are the tenets of good governance.

I just felt it necessary to clear up some of the remarks that were coming from the Opposition Bench, [*Crosstalk*] and agree with my colleague—[*Interruption*]

Sen. Baptiste-Primus: Mr. Vice-President, Standing Order 45(1). You must not do that; he is making his maiden contribution.

Sen. Ameen: Then he should not be controversial.

Mr. Vice-President: Hon. Members, it is precedence that when a Member is making his maiden contribution that there will be silence to allow that Member to do so. Continue Sen. Huggins.

Sen. R. Huggins: Thank you very much, Mr. Vice-President.

There is one more element that I must clear up. I heard my colleague speak about sending the wrong message to the criminal elements, and nothing could be filled with more hypocrisy, because it was this Government that came to the Opposition to get support on very, very, very critical legislation.

Sen. Ramdeen: Standing Order 46(1), Mr. Vice-President.

Mr. Vice-President: Member, as much as you are making your maiden contribution, and we do allow for a great deal of latitude, the Standing Order raised by the Member does apply in this particular situation. So I am going to ask you to try and bring it back to the Motion that is at hand. [*Desk thumping*]

Sen. R. Huggins: Thank you very much, Mr. Vice-President.

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I would like to close by saying that Petrotrin has many challenges. The Prime Minister has committed that we are going to fix those issues once and for all, and I would like to support my colleagues in saying that this Motion is, in many regards, baseless and—I do not want to say a waste of Parliament's time—but it is a Motion that I think should end and halt. There should be no more Motion. It should come to a halt now.

Thank you very much.

Mr. Vice-President: Members, just permit me to congratulate Sen. Huggins on his maiden contribution in this august House. [*Desk thumping*]

Sen. Taharqa Obika: Thank you, Mr. Vice-President, for allowing me to contribute to this very important Motion raised and brought to the House by our Leader of the Opposition Bench, Sen. Mark. We are being asked to consider the Motion before us whether immediate action should be taken by the Ministry of Finance as Corporation Sole, as you would be aware, to suspend a particular operator's contract while investigations into the audit committee's report are ongoing.

One only has to turn to the *Trinidad Express* article, and I give the name and reference of the article for the record, of the 22nd of December, 2017, entitled:

“Petrotrin terminates A&V Oil's contract”

And, Mr. Vice-President, I read and I quote with your permission:

“A&V Oil and Gas Drilling and Workover Ltd, the company at the heart of the fake oil scandal, has been terminated by Petrotrin.”

I think that we on this side deserve a round of applause for bringing this matter to light in the public. [*Desk thumping*].

I want to start where my colleague on the opposite side ended. So Sen.

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Huggins in his maiden contribution referenced that there is a public outcry, and I want to concur that there is a public outcry and they are fed-up, and they want more than an investigation. They simply want the PNM to go. [*Desk thumping*] Sen. Huggins was profound when he said that the PNM will stay away from negative people, [*Laughter*] and he is none other than the PRO of the PNM, so he would not make mistakes with his words. So when the PRO of the PNM is saying that they will stay away from people, I am sure he means they are staying away from the people of Trinidad and Tobago because the people [*Desk thumping*] are now critical of the PNM. They are critical with their protests for a road. They are critical with their protests regarding health care and obviously, they are critical with their protests regarding the substantive Motion in the corruption at none other than the national oil company, Petrotrin. [*Desk thumping*]

So I concur with the last speaker. It is an uncanny experience I had, but, you know, sometimes these things do happen.

Furthermore, the board of Petrotrin in a release stated:

The Board of Directors announced that the company has given notice of the termination of contract to the lease operator associated with the discrepancies in reported oil production and actuarial receipts revealed by its Internal Audit Department earlier this year.

So I submit that today it is the work of this Parliament, and again Sen. Mark must be commended for bringing this significant Motion to the House.

We turn to the matter of royalties. The Motion also speaks to the over statement of production of one lease operator in particular, and the resulting payment of royalties by Petrotrin which were not received. The matter is disconcerting in the least.

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Mr. Vice-President, when we examine the acts committed by A&V Oil and Gas Limited which would have resulted in the State being defrauded, it brings to mind a quote from an ancient philosopher, Plato, and I would quote him where it is recorded:

“When there is an income tax, the just man will pay more and the unjust less on the same amount of income.”

These acts of fraud by A&V Oil and Gas Limited should be pursued to its final conclusion, and this Government must follow the money trail, [*Desk thumping*] and ensure that justice for the people of Trinidad and Tobago arrives at its final conclusion. Follow the TT \$80 million. I think that that is a mammoth figure that, in my recollection, has never been defrauded of this country in the history of our Republic. [*Crosstalk*] Mr. Vice-President, if the Government fails to bring— [*Interruption*]

Mr. Vice-President: Members, it is getting a little bit loud in here while the hon. Senator is making his contribution. So could we have some silence while he makes his contribution? Continue, Sen. Obika.

Sen. T. Obika: Thank you, Mr. Vice-President.

Now, we understand that Mr. Vidya Deokiesingh is a member of the People’s National Movement who happens to be at the centre of the scandal before us. [*Interruption*] I stand to be corrected, I understand that he has not been sent home pending the end and the final outcome of this investigation. In fact, he remains there, which is equivalent to heaping bounties and rewards on him and benefits, where punishment should be his portion. [*Desk thumping*] And on top of that— [*Interruption*]

Sen. Khan: You want to give way, just for a minute?

I answered this question in the House on Mr. Deokiesingh. Mr. Deokiesingh is under investigation in Petrotrin. Petrotrin has very robust and airtight collective agreements between the Oilfield Workers Trade Union and the company, and there are specific procedures that have to go through with an investigation. The management and/or the board cannot just “ups” and suspend somebody, unless that due process is completed. The same point Sen. Creese made and the same point Sen. Rambharat made. So that is the process that is taking place.

Sen. T. Obika: Mr. Vice-President, if I may respond to the Leader of Government Business, the hon. Minister Khan. The Minister referenced process and that the process is being followed. I want to posit that this process is strangely different from process that obtains in the private sector and obtained in—and I stand to be corrected—HDC. [*Desk thumping*] So it really begs the question, what process they are following that leads to justice for the people of Trinidad and Tobago and for the returning of our taxpayers’ dollars defrauded on the State.

Now these benefits that are heaped upon this PNM candidate for Siparia—the losing candidate, former Chairman of a regional corporation, can you imagine. It brings to mind a quote of another ancient philosopher. I did a little bit of reading, and I would like to share that with this honourable House and the population:

“The real destroyer of the liberties of the people is he who spreads among them bounties, donations and benefits.”

And I beg this House to look at this case. There is someone who, by and large, as we say, “town say; we done pass we mouth on him already; we know his portion”. The report from the internal audit department is clear. They brought in external auditors, it is clear. They have concurred and agreed with the internal audit department of Petrotrin, and this individual is left there being given the full

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benefits of an employee of our national oil company, Petrotrin. That is a travesty on its own.

I heard the Minister of Trade and Industry stating that Petrotrin is at fault, shortly after expressing her closeness with the daughter of the owner of the offender A&V Oil and Gas Limited. I think the Minister should have spared the Parliament the reference of it, to “if it were her child involved”, because that does not arise. But it is easy for one to say Petrotrin is at fault, but if you really examine who is at fault at Petrotrin? Who appointed the persons involved in Petrotrin? Who continues to keep persons there? The board of Petrotrin is a PNM board, therefore the process that they follow is a process that is overseen by none other than members and agents of the People’s National Movement, and they are at fault.
[*Desk thumping*]

4.15 p.m.

Sen. Ramdeen: What process they used for Charmaine Lewis?

Sen. T. Obika: I am reminded about the process at another state enterprise, [*Crosstalk*] at the Port Authority, for Charmaine Lewis. But when you look at the fault, when you say fault, so they are laying blame, they are laying blame, the Minister laid blame at the feet of Petrotrin, the door of Petrotrin however, was it not the same Petrotrin that commissioned and completed this internal audit that found \$80 million of corruption? So therefore, Petrotrin cannot be at fault. It is the agents of the PNM in Petrotrin who are at fault. [*Desk thumping*]

Now, I turn, Mr. Vice-President, regarding the issue of royalties which was raised in the Motion. You know, as an aside and this really is for students of economics listening and who would reference in the future. One cannot understand the economy of Trinidad and Tobago without understanding the energy sector, and

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one cannot understand the energy sector of this country without understanding Petrotrin. And as a result of that, Petrotrin is equal to—the fortunes of Petrotrin is equal to the fortunes of Trinidad and Tobago as an economy, as a nation regarding our posterity and regarding our economy as a going concern. Therefore, matters regarding royalties with Petrotrin are of paramount importance because that is the way the taxpayer benefits.

So, Mr. Vice-President, the situation out of Petrotrin points to declining production and reserves and it may have come as great relief to the good staff at Petrotrin that A&V Drilling could have resurrected from the dead, the Catshill Field, and one wonders if that would not have misled the organization into believing they could have arrested the issue of declining production once and for all, if not boost production. So this goes deeper. The matter of over-invoicing and fraud by none other than a PNM candidate that could have misled a jewel on the crown of Trinidad and Tobago, is a very serious matter and it goes beyond that in that single lease operator.

It speaks to the strategy of Petrotrin. Could the strategy of Petrotrin have been affected by this one operator, their actions of presenting a fake picture of boosting production of one field? Could that not have led, the strategists at Petrotrin to divert their attention from other activities which have resulted in a boosting of our production capacity, increasing our proven reserves, increasing our probable reserves and diverting it to this negative course of action which would be focusing on lease operators with fields that are declining in output or that are mature at best?

And when you look at the content of the presentation—and I read, guided by you, Mr. Vice-President— delivered by the then chairman of Petrotrin, Prof.

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Andrew Jupiter at the Energy Caribbean Conference 2016 –we see there is another conference ongoing at this moment– titled “Role of the National Oil Company in the Development of the Energy Sector”, which happens to be my source for the record of the *Hansard*. Mr. Vice-President, in light of the fact that the Petrotrin audit which was dated 17 August, 2017, less than a month after the effective resignation of Prof. Andrew Jupiter which was effective July 31, 2017 as reported by Asha Javeed in the *Trinidad Express* article 22 July, 2017 in a story titled “Jupiter quits as Petrotrin chairman”, one can only speculate—given the close proximity of these two events, the resignation of the Petrotrin Chairman and the date of this report, this internal report of Petrotrin, this internal audit report of Petrotrin, that the goodly professor, a renowned man from the south land, someone whose son I know because we went to the same secondary school, Presentation College San Fernando—that he wanted to distance his legacy from this scandal [*Desk thumping*] that was hatched by a PNM candidate and a PNM financier. Prof. Jupiter is a good man. He does not want to have himself stained with the negativity of what happened there.

Further, Mr. Vice-President, Petrotrin pointed on the road to improved efficiency as being—and this is very serious and this was lifted from Prof. Jupiter’s presentation at that energy conference which is for the world’s record– that an assignment of coaches, mentors to the young engineers, would be one of the main pillars going forward so that institutional memory is preserved and continued. I only hope that one of these mentors is not Vidya Deokiesingh, because the only one thing this PNM candidate come Petrotrin employee is famous or infamous for is defrauding the State, over- invoicing by a lease operator and corruption, corruption and more corruption. So, I turn to lease operators.

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Mr. Vice-President, I listened with alarm as the hon. Minister of Trade and Industry who tried to insinuate that the UNC is saying to do away with the lease operatorship programme of Petrotrin. I want to dispel that as completely false and direct the Minister of Trade and Industry to comments made by none other than Ancel Roget, President General of OWTU (the Oilfields Workers' Trade Union), where he said in a *Trinidad Guardian* newspaper article dated Thursday 18 January, 2018, by Radhika De Silva headlined "Petrotrin workers on standby for shutdown". And I want to turn to that article because it is very important that you get these things right.

Sen. Ramdeen: Read it slow for them.

Sen. T. Obika: Ancel Roget is reported to have said that he wants the Petrotrin board to "...review the lease operator programme." The comments about the lease operator programme fall squarely with the head of none other than the principal trade union for the oilfields workers. So therefore, please, direct, I encourage you, Mr. Vice-President, that the hon. Minister of Trade and Industry should direct her concerns to none other than the head of the bargaining unit for the workers in the oilfields.

Therefore, Mr. Vice-President, unless the Minister of Trade and Industry is saying that the President General of the OWTU is a member of the UNC, the Minister of Trade and Industry needs to retract that statement, that we in the UNC are calling for an end to the lease operator programme. [*Desk thumping*]

Now, as I begin to wind up, I just want to bring to light some of the issues that were raised in that very well written article by Radhika De Silva. And the article begins by stating, if I am allowed, Mr. Vice-President:

"The Oilfield Workers Trade Union (OWTU) president General Ancel

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Roget has put Petrotrin workers on standby for a possible shutdown of the State-owned energy company and hinted yesterday that there might soon be fuel shortages in the country.”

Now this is very alarming. All right? Because the substantive Motion before us has to do with the success of none other than Petrotrin. All right? And it is alarming that the actions of the State can bring this company to a halt. Mr. Roget is on record as saying:

“People will have to be inconvenienced for people to understand the contribution you make.”

These are the workers.

“We are prepared to do what is necessary. The OWTU will be the vanguard and we will shut this...”I cannot use that word, a word that starts with “b” “place down.”

Now, another important statement made by Mr. Roget, Mr. Vice-President, is that:

“He also called on the company’s directors to fire the managers but leave workers alone.”

I think I could point to one person he could fire, that would be Vidya Deokiesingh.
[Desk thumping and crosstalk] Yes.

And he went on and he said some very insightful things, very insightful, but one of the most important things he said is that:

“He urged the workers... acknowledge that the Keith Rowley administration is the worst that has ever existed in T&T..”

[Desk thumping] He said that it is the:

“...worst administration that has ever existed in T&T .”

[Desk thumping] That means that they are even worse than the colonial

government. [*Laughter*] He said that:

“They failed more than any government that ever existed. In terms of health they failed. In terms of the economy they failed.”

You have Ministers for the economy as window dressing now.

“With education, they failed.”

You heard the Minister of Education today, so you know that that is failure.

“They failed with crime.”

Murders are rising. You are afraid to let your family members even leave the house, you are afraid yourself to leave the house.

“They failed to govern properly...”

And he said:

“the bastion is the OWTU.”

But I want to tell him, the people of Trinidad and Tobago can count on the United National Congress to defend the interests of this country [*Desk thumping*] and to bring back good governance come the next general election whenever it is called.

Thank you very much, Mr. Vice-President. [*Desk thumping and crosstalk*]

Mr. Vice-President: Sen. Mark.

Sen. Wade Mark: Thank you very much, Mr. Vice-President. I know we have a few minutes before we go to tea, but may I from the outset record my appreciation for the various contributions made from all sides of this honourable House to this very important Motion that I have brought to this honourable Senate.

And I also want to congratulate my friend, you know, I have seen him so many times at Joint Select Committees that I could not have believed, and he is very articulate at these Joint Select Committees, so I thought that he had already cut his teeth here in the Senate. So I was a little bit surprised that he had only made

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his maiden contribution today. So, I also want, like the Vice-President, to extend my congratulations to Sen. Ronald Huggins. And I want to correct the record. I do not think he is the PRO. He was. [*Crosstalk*] I think Stuart Young has now replaced him. [*Crosstalk*] No. No. I think Stuart Young is the PRO. So, I think he was the PRO if I recall, but he was removed. [*Crosstalk*] Well, maybe if someone can remind us.

But anyway, Mr. Vice-President, as I said, I want to thank everyone for making their contributions, but in my winding up I want to begin by reminding my colleague who is the Minister of Trade and Industry that the record would show—and I am shocked that sitting next to you, the Minister of Energy and Energy Industries would have allowed you to fall into that erroneous pathway; I thought he would have corrected you.

Mr. Vice-President, just for the record I have been advised by Petrotrin that this matter of the South West Soldado matter, this entire matter was referred to the police after a PwC forensic inquiry and report, and that was done sometime in September of 2015. So, I am surprised that the hon. Minister of Trade and Industry is not aware. You see, like Rip Van Winkle, they are sleeping on the job. [*Desk thumping*] They are sleeping on the job, they do not know what is happening around them, and I believe the Minister is sleeping on the job as well [*Desk thumping*] because he could have told her, told the hon. Minister that is that, “Listen, this matter was conducted, an investigation was conducted by the PricewaterhouseCoopers, a forensic investigation and a report was concluded, and it was sent by Petrotrin to the police”. So how come the hon. Minister, except if the Minister is bent on mischief and cheap propaganda. That is all. [*Desk thumping*]

Sen. Gopee-Scoon: No. No. No.

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Sen. W. Mark: I withdraw. I withdraw “mischief”.

Sen. Gopee-Scoon: Allow me to quote, please, 46(6); Standing Order 46(6).

Mr. Vice-President: And he has withdrawn. You have withdrawn, Sen. Mark?

Sen. W. Mark: Yes. [*Desk thumping*] So cheap propaganda, not mischief, Sir. So, Mr. Vice-President, [*Crosstalk*] I—

Sen. Gopee-Scoon: No. 46(6).

Mr. Vice-President: We are fast approaching tea, Sen. Mark, so move forward.

Sen. W. Mark: Thank you, Sir. Yes. So, Mr. Vice-President, I will show when I return here, unlike what my colleague said earlier, Sen. Rambharat, this is not dangerous, this is not convoluted, this is not premature as he claims, it is not hypocrisy as he would like us to believe. This is a giant, well-coordinated political conspiracy involving key players [*Desk thumping*] in that industry. And I will demonstrate to you, Mr. Vice-President, the link between Deokiesingh, Nazir Ali, Nazim Baksh and I “doh” want to bring in the Minister because I will have to bring a special Motion for him, but I “doh” want to bring him in.

Mr. Vice-President: Hon. Senators, the time is now 4.30 p.m. and it is time for tea. This House will now stand suspended until 5.00 p.m.

4.30 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

[MADAM PRESIDENT *in the Chair*]

Madam President: Sen. Mark.

Sen. W. Mark: Thank you very much, Madam President. Madam President, this Motion that was piloted by my good self really was aimed at bringing to your attention and to this honourable Senate’s attention what I would like to describe as an economic crime committed against the citizenry of our country.

And unlike what my colleagues are saying on the other side, this was no error of judgment, this was no mistake, this was no miscalculation. This was a well-thought-out, well-orchestrated and coordinated conspiracy to defraud the people of Trinidad and Tobago of hundreds of millions of dollars. Just as how it took us a number of years to discover the illegal bunkering of our diesel which was being shipped out of our country to the islands of the Caribbean, and was going on for several years until it was discovered and halted. Luckily, whoever was able to discover this economic injustice and this crime against humanity at Petrotrin, we need to really compliment that individual or those individuals concerned.

Madam President, some of the key players involved in this conspiracy are well known to each other. It is not strangers that are involved in this exercise. The people who are involved, they are neighbours.

Hon. Senator: What?

Sen. W. Mark: They are neighbours, they live in the same community, they have lived there for years and they are still living there. They have long associations and relations with colleagues who are now holding high positions in the Government of Trinidad and Tobago. So this is not anything that happened overnight or just by accident.

And therefore, my colleague Sen. Rambharat obviously labouring under some degree of, let us say lack of clarification and a lack of depth of understating of what has happened at Petrotrin involving this particular company, may have been drawn to the wrong conclusion when he said that this whole thing was based on hypocrisy and it was dangerous and premature. How can it be premature? How can it be dangerous, Madam President? You have close to \$100 million being stolen from the public purse and you are saying to this Parliament that this Motion

is premature? How can a \$100 million and bringing that to the attention of the Government and to the Parliament and to the people, how can such a Motion be described as premature?

Madam President, we need a police inquiry into this matter. [*Desk thumping*] Whilst it is good to refer something to the DPP, I want to ask the Minister if he had a second chance to speak: Why not the police? When the “emailgate” came to the attention to this country, where did it go? Did it go to the DPP, Madam President? It went to the police for an investigation because there were criminal statements made in terms of threatening to kill people, in terms of a journalist. These are serious allegations and charges that were levelled, and in an instance where you have a company defrauding the people of this country of close to \$100 million, that is something that requires a criminal investigation, and that is why the police ought to immediately get involved in this matter.

Madam President, there are many questions that I want to ask on this matter because the key player involved in this matter is the chap called Deokiesingh. He is the key man. And he and another chap called Nazir Ali who is the drilling manager of that company called A&V Oil and Gas, they are neighbours, they live near to each other, next to each other. I know the address, I would not describe now, I would not outline it rather. They live closely together. So, Madam President, and because of close associations with Members of the Government, this is why this whole event requires a police investigation.

Madam President, it is passing strange and up to now we cannot get what I call the facts, the truth surrounding this whole matter of how this gentleman was able to move from being a hospitality officer and working in a particular department of Petrotrin and was elevated to transfer custody officer, as it is called,

which was a higher grade. My friend was telling me that you have to go through the collective bargaining agreements to determine how this gentleman moved from one level to another level. I do not know if that can, at least, satisfy the concerns that the population would have on this whole matter.

The question that has to be asked is: Who directed, who caused the transfer of this Deokiesingh from where he used to work in Petrotrin to this new position that he was given? And the question also, when this gentleman was transferred, was he properly qualified to hold that post? Was he trained? Was he experienced enough for such a responsible position? Madam President, was he selected and handpicked in order to facilitate the eventual outcome that we experienced as a nation that made public news in this country?

And, Madam President, you would realize that when you examine this event closely, many of the players involved go back to periods 10, 15, 20 years ago. They worked together in a company known as Venture Production (Trinidad) Limited. They worked together in Venture Production (Trinidad) Limited. So the same Nazir Ali was part of that organization and all of them were like peas in the same pod; they knew each other. And that is why even though we call for the termination of the contract, it cannot stop there. [*Desk thumping*] It must not stop at a termination. This matter is too serious a matter for it to end there, we need a criminal investigation by the police [*Desk thumping*] into this matter.

And why is the Government afraid to have this matter referred to the police? Because of the fact there is something that is lurking in the background that the Government seems to be mortally afraid of. What is the Government afraid of? Why is the Government not acting in the public or the national interest of this country?

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Madam President, if this had happened under a UNC or a PP administration we would have heard Sen. Henry already on 95.5 [*Laughter*] attacking, attacking this Government and all the players that were involved and calling for a criminal investigation. He would have done that already, but today he is silent, not saying a word.

So, we want to know, Madam President, why it is all of these things have happened and there has been no action on the part of the Government. Madam President, I want to ask the Government, maybe Sen. Rambarran—

Hon. Senators: Rambharat.

Sen. W. Mark: Sen. Rambharat rather, not Rambarran, they fired Rambarran. Yes. I want to ask, Madam President, my colleague and even Sen. Huggins and all who have spoken before: Who was the Minister in local government when the contract was signed by Kallco to award \$10million contract to Kallco to pave Saunders Trace which leads to the Catshill Field? Who was the Minister of Local Government? I know it was not the present Minister of Local Government and, therefore, we need answers. I have not visited that area myself as yet, I intend to visit it shortly—

Sen. Ameen: Be careful, eh.

Sen. W. Mark:—but I have to go with police to protect me from the thugs in that area because there are thugs there who will attack not only politicians, but they will attack journalists as well.

But, Madam President, I have been told from my sources, 98 per cent of that road that was paved benefited only one and one company only, A&V Oil and Gas, and you know, Madam President, what it means? We the people of Trinidad and Tobago underwrote an entire project costing the taxpayers some \$10 million when

people cannot get drugs and CDAP drugs in our hospitals or at the pharmacies today.

5.15 p.m.

Madam President, this is serious business. This is not no Mickey Mouse business that we are dealing with here. This is not child's play. I want to tell Sen. Clarence Rambharat this is not child's play. This is not hypocrisy. This is serious business. And who is going to be held accountable for that \$10 million that was spent in paving Saunders Trace. Who? Who is going to be held accountable? [*Desk thumping*] "Look nah". Madam President, we have to "call people to book here", you know. We have to "call people to book", because there are Ministers who know what has happened in this matter and they have to be called to account, and they have very close relations with Nazim Baksh, Nazir Ali, Vidya Deokiesingh. [*Desk thumping*] These persons, Madam President, they know of these individuals. They lime with these individuals. They cavort with these individuals. They lime with these individuals. They drink and dance and wine with these individuals. They know these individuals, and that is why we were able to spend 10 million of taxpayers' dollars, doing what, Madam President? Paving Saunders Trace.

Sen. Ramdeen: "Dey cyar fix" Fanny Village Government School.

Sen. W. Mark: "Dey cyar fix" schools, Madam President. Schools cannot be opened today. Children are now housed in community centres. The School Feeding Programme has been reduced.

Madam President, I do not know if you are aware that when we have a sitting here and we go after 10.00 in the night, you know we cannot get anything to eat. They are starving us in the Parliament but they are paving a road for \$10 million. [*Desk thumping*] Madam President, do you know this? [*Desk thumping*]

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 Sen. Mark (cont'd)

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Do you know that we are under pressure here because our—

Madam President: Sen. Mark, what I do know is that there is no need to be raising the decibel level in the Chamber. All right? So just continue.

Sen. W. Mark: Yeah, thank you. Madam President, I agree with you and I appreciate that, and I am sorry about that.

Sen. Baptiste-Primus: Speak for yourself, I am not starving.

Sen. W. Mark: Yeah, I am sorry about that. So, Madam President, I know in some areas where we are told that if you have a meeting you cannot even get tea. That is at the Ministry of Education for example. You cannot even get water.

But whilst, Madam President, we cannot get tea, we cannot get water, we cannot get drugs, CDAP for the poor at the hospital level, at the pharmacies, Madam President, what is happening? One hundred million dollars—

[Madam President rises]

Madam President, let me low down my decibel *[Laughter]*—\$100 million goes to a company and there is no accountability. In any serious, civilized country, Hanif Baksh and his entire gang would have now been in yellow uniform or blue uniform with chains. In the United States they would have been in jail already. *[Desk thumping]* Long time, in jail, but all we are hearing now is “process”.

When the Government is in Opposition, is not for process, you know. They say deal with this thing immediately. Action.

Sen. Ameen: Emailgate.

Sen. W. Mark: Emailgate and the rest, action. But when they are in office, we are told process. Look, let everything take its time. You see, Madam President, take its time. So there is one law for the Government and one law for others, Madam President.

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So we call on the police. I think we will have to write to the police and to the Integrity Commission. Sen. Ramdeen—

Sen. Ramdeen: Yes, Sir.

Sen. W. Mark:—we will have to write to the police, Madam President, and the Integrity Commission on this matter involving the expenditure of \$10 million, to do what? Simply to repave the whole Saunders Trace for one individual and one individual only. And I think that this Parliament might have been misled. And you know, Madam President, you know it is a very serious matter to mislead the Parliament? But I believe that the individual who spoke on this matter, he himself might have been misled. So I would not hold it against him on this occasion.

So, Madam President, these issues that we are dealing with are very serious. Because here it is, Petrotrin, we understand, is under severe strain and stress. Petrotrin, as we are told by the Government, has to take certain action in order to come to a certain level of viability, and it may mean, as the hon. Minister of Energy and Energy Industries stated, that you know what, Madam President? You know what we were told by the Minister Energy and Energy Industries? That we may have to, the people of this country may have to trim Petrotrin because it is a bit fat. So what does that mean, or words to that effect? It means that you will have to dislocate, you will have to reduce your workforce, you will have to retrench people, Madam President. That is what it means in essence. That is what it means in essence.

So, why I called for this matter to be referred, Madam President, to a joint select committee, is to give that committee an opportunity to drill deeper and further into this whole A&V oil scandal. We cannot do all that in this Chamber. We cannot go into the details. We want to summon Nazir Ali before this

committee [*Desk thumping*] and we want him to spill the beans and tell us of all his relationships.

Madam President, do you know to connect the dots once again? Do you know that the Government of the hon. Dr. Keith Rowley, the Prime Minister, took the decision in September of 2015—2016 I should say—to appoint Nazir Ali as the chairman of the Water and Sewerage Authority? Do you know this? [*Interruption*] Do you know that the Cabinet, of your Cabinet, Sen. Rambharat, took the decision to appoint as chairman of WASA—Sen. Le Hunte, you would have been saddled with a gentleman by the name of Nazir Ali.

But, Madam President, I have been advised that so much crookedness went on during the period of the announcement of the name, and the removal of that individual, that had that gentleman been appointed, any Minister that had taken over would have been in severe trouble. And the Government got word, Madam President, of the shenanigans that were taking place, even before the gentleman was installed, and the Government had to take the decision. So when they made the formal announcement of the board in December of 2016, Nazir Ali, like a ghost had disappeared. They had removed him because of the report that came back to the Government and to the Cabinet. I do not know if— well, at that time you were temporary, Senator, my brother, Sen. Sinanan, the hon. Minister.

Sen. Ramdeen: He was there.

Sen. W. Mark: He was not there. He was not there at the time. He might have been there because I thought it was in November they removed Hinds.

Madam President: Sen. Mark!

Sen. W. Mark: Oh, sorry, Ma'am. [*Laughter*] So, Madam President, I am trying to ask you to connect the dots so you can understand, this event that took place at

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Petrotrin involving these players did not happen by accident. I am saying that all of these players were involved, and they have long-standing relations. Madam President, do you know that a temporary Senator called Sherrie Ali was installed here as a Senator. You know, the daughter of who? The gentleman who was supposed to be the chairman of WASA. [*Crosstalk*]

Madam President, you have to understand to connect the dots. The gentleman who was in charge and who is the owner of A&V Oil and Gas, his daughter, my friend, was here. She is no longer here. She is no longer here, Madam President. So, again, connect the dots. The gentleman who is the drilling manager of A&V oil was appointed as chairman of WASA and then removed. The gentleman who was appointed as chairman of WASA, his daughter came into this Senate and acted as a temporary Senator on that bench. So all I am saying is that there are dots that we need to connect, and I do not think that the Government can seek to cover up this scandal.

We will make sure that when the next general election comes around and long before it does come around, the population is aware of every detail involved in this scandal. [*Desk thumping*] Every detail involved in this scandal. And by that time, Madam President, I would not be here, because the Parliament would be dissolved, and you would not have to tell me or say—[*Laughter*]

[*Madam President motions to Sen. W. Mark*]

You do not have to tell me, Madam President, I know if I am violating the Orders you would have to bring me up, and I agree with that. Right? But you see when I am on the platform, that is when I will deal with them. [*Laughter*] I will deal with them on the platform. [*Desk thumping*] On the platform, we will deal with them. Today I have to spare some of them, and the reason I have to spare

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some of them is because I would in violation of the Standing Orders. So they get a reprieve today. They have a reprieve from me. [*Continuous laughter*]

Hon. Senator: Temporarily.

Sen. W. Mark: Temporarily. So, Madam President, all I am saying, so close were these players that they wrote a paper entitled, “Re-development of the Brighton Marine Field of Trinidad and Tobago. The Early Days.” And hear the authors of it: Franklin Khan—the hon. Minister, eh—Nazir Ali, and many others co-authored that document. That was in 2002, a document was written on the oil industry. So these players in question, Madam President, they have been around a long time. And I want to put it to this honourable House that you scratch my back I scratch your back.

Sen. Ramdeen: One hand “doh” clap.

Sen. W. Mark: One hand “doh” clap, Madam President. [*Desk thumping*]

[*Sen. Gopee-Scoon stands*]

Madam President: Sen. Mark.

Sen. Gopee-Scoon: Madam President, may I invoke Standing Order 42(9)? Thank you. [*Crosstalk*]

Madam President: Sen. Mark! Sen. Mark! Minister—

Sen. Gopee-Scoon: Yes.

Madam President:—on what basis?

Sen. Gopee-Scoon: Thank you. I wish to raise a matter which I spoke of during my speech, and which I think has been misrepresented, and I would like to speak after the Member concludes on the particular matter, Madam President.

Madam President: Sen. Mark, Standing Order 42(9) allows for it, but because at the conclusion of your presentation, the debate has been wound up; I am going to

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allow Minister to raise it now. Minister, you have two minutes, and the Standing Order just shows you are not to raise any new matters, you are just simply to answer.

Sen. Gopee-Scoon: Thank you, Madam President. And I just wanted to clarify a particular matter, and it is that during my contribution I had raised the question of a \$1.25 million upfront—illegal and upfront commissioning fee— which had been paid with regard to the South West Soldado project, and I went on to say that US \$750,000 out of that had been paid after, subsequently right after to a Houston bank account in the name of Member Source Credit Union, and then to two private bank accounts at Ellerslie Plaza at Scotiabank.

I went on to say that the then Government never took the matter to the police, and I wish to give clarification on that point. The Senator said that the matter was in fact sent to the police in September 2015. The impression that he gave is that the then Government, the then administration, did in fact send the matter to the police, and I want to clarify that that is not so. That the matter was sent to the police in October 2015, but by a Jupiter led board and under the People's National Movement Government. Thank you. [*Desk thumping*]

Sen. W. Mark: I have no problem with that, Madam President.

Madam President: Sen. Mark, continue.

Sen. W. Mark: I can deal with that, but the reality is it was sent to the police.

Sen. Gopee-Scoon: By the PNM.

Sen. W. Mark: It does not matter if it is PNM or UNC or Mars. [*Laughter*] It went to the police. Madam President, I have no problem with that. I am glad that the hon. Member cleared the air on that. I have no problem with it.

So, Madam President, all I am saying to this honourable House is that I—the

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United National Congress—represent the people of this country and we have a duty and a responsibility to bring to the attention of the national community matters that will impact negatively and unfavourably on the national interest, and that is why we took the opportunity to raise this matter of the fake oil scandal. And had it not been for the hon. Leader of the Opposition, who was able to bring this matter to the attention of the national community—if we were waiting on the PNM that runs a secret society as a Government, we would have never been able to know about this whole matter of the internal audit that was conducted by—in fact, even up to this day the Leader of Government Business, my colleague and friend, Sen. The Hon. Franklin Khan, is on record as saying that the internal audit report is—what?—privileged. And you have to correct him. Once a matter comes into the public, privilege no longer exists, it becomes a public document.

But, Madam President, they did not want you and the population to see the contents of that report. This Government was forced, kicking and screaming, in order to conduct a second investigation, and they brought Kroll out of Canada, and they also brought something called Gaffney, Cline; and they both verified that these people did in fact commit a crime against the population of Trinidad and Tobago. And you know, Madam President, if a government believes in transparency, if a government truly believes in accountability, if a government is committed to openness and public participatory democracy, this Government would have already taken the decision to have everything sent to the police, and more importantly, those reports would have been sent to the Joint Select Committee on State Enterprises already for an enquiry into that whole scandal, so that we would be aware as a Parliament of what is taking place. The Government has hidden those reports and we do not have a clue of what is taking place with

those reports up to this time as we speak.

So, Madam President, we would like the Government to take action against those violators of our rights as a nation, and our rights as a people. I would like to ask the hon. Minister of Energy and Energy Industries, the gentleman who is currently working at Petrotrin, he got approval for an extension of his leave—we want to know, who approved an extension of his leave?

Madam President: Sen. Mark, you have five more minutes.

Sen. W. Mark: We want to know, Madam President, who approved the transfer forms authorizing his functioning in the position that he is functioning in today? We also want to know, how can a man be transferred to a position that he has no experience, knowledge, qualification, nor training? Where did the instruction come from? Did it come from the Board of Petrotrin? Did it come from the manager of human resources? Did it come from the political directorate? Where did it come from? These are questions that people need to ask, and people are asking, and they want clarification. And our responsibility is to get those matters cleared up in the interest of the population.

So, Madam President, we have a lot of information. I would say explosive information on certain characters and elements who are involved in this fake oil scandal. We cannot bring those documents here, but we know exactly where they will be brought in the court of public justice at the appropriate time. And I can tell you, Madam President, when we reveal the information and the connections, and the dots, and they are connected, the PNM will be history after the next general election in this country. [*Desk thumping*]

So, Madam President, I do not want to detain this House any longer. I think we have done our duty. We have put on to the record of Parliament our position on

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this fake oil scandal. The Government has the majority, they will vote against it. That is excellent news. Because I want them to vote for it. I am calling for a division on this matter in advance, because when we go on the campaign trail we will identify all of them who supported this matter. And that is why we are not concerned about numbers, and we will be defeated. We are principled people, and we are concerned about justice and fair play. [*Desk thumping*]

We might be in a minority today, but I can give the assurance—I predicted when Patrick Manning was in Government—and may his soul rest in peace—that he was going to fall, that he was going to fall. And, Madam President, I am predicting today, the PNM under this Rowley Government, will fall. They will fall. [*Desk thumping*] And today we are in the minority; I want to give you the assurance, tomorrow we would be in majority, [*Desk thumping*] and I do not want them to be worried about anything, because we have a good lawyer called Gerald Ramdeen.

Sen. Gopee-Scoon: Who?

Sen. W. Mark: Good lawyer called Gerald Ramdeen that would deal with some very critical issues that will be brought to his attention, and that have already been brought to his attention.

So, Madam President, with these few words, I want to thank you for giving me the opportunity to speak. I promise you—because I missed you when you were out. [*Laughter*] I must tell you that. And I want to tell you, Madam President, that I will try my best to reduce the decibel level so that you yourself, you know, would not be disturbed unduly. [*Laughter*]

Sen. Ramdeen: Peace on earth.

Sen. W. Mark: And I will try to bring some peace on earth, as my friend said.

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 Sen. Mark (cont'd)

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[*Laughter*] But, Madam President, at the end of the day we brought this Motion to really provide the Government with an opportunity to clear the air. They have done their best at this time. We do not think it is their best, nevertheless, but they have done their best. But we have done our duty. We have carried out our responsibility. We feel vindicated, and we believe at the end of the day, justice will be done. I beg to move. [*Desk thumping*]

Question put.

Sen. Mark: Division.

The Senate divided:

Ayes 6

Noes 18

AYES

Mark, W.

Haynes, Miss A.

Ameen, Miss K.

Hosein, S.

Obika, T.

Ramdeen, G.

NOES

Khan, Hon. F.

Gopee-Scoon, Hon. P.

Baptiste-Primus, Hon. J.

Rambharat, Hon. C.

Sinanan, Hon. R.

Hosein, Hon. K.

West, Hon. A.

Le Hunte, Hon. R.

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Division (cont'd)

Henry, Dr. L.

Singh, A.

Cummings, F.

De Freitas, N.

Dookie, D.

Huggins, R.

Young, N.

Mahabir, Dr. D.

Raffoul, Miss J.

Richards, P.

The following Senators abstained: D. Small, T. Shrikissoon, Miss M Ramkissoon, S. Creese.

Motion negatived.

ADJOURNMENT

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Madam President, I beg to move that this Senate do now adjourn to Tuesday, the 30th of January 2018, at 1.30 p.m. On that occasion we would deal with Government Business Motion, where we will hopefully have a short debate on the Dental Profession Act, which is just a simple amendment, and if time permits we will begin our debate on the more comprehensive, a Bill to amend the Mutual Assistance in Criminal Matters Act.

Madam President: Hon. Senators, before I put the question on the adjournment, leave has been granted for matters to be raised on the Motion for the adjournment of the Senate. Sen. Mark.

TSTT Retail Stores

UNREVISED

TSTT Retail Stores
(Closure of)
Sen. Mark (cont'd)

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(Closure of)

Sen. Wade Mark: Thank you very much, Madam President. Madam President, I rise to speak on a Motion, on a matter rather, dealing with the closure of some nine TSTT retail stores, and the consequent implications for the permanent and contract employees as well as the general public of the Republic of Trinidad and Tobago.

Madam President, as you would know, TSTT unilaterally took a decision without any public consultation with their customers to close nine outlets, Bmobile stores, as they are called. These outlets that were unceremoniously closed down were located at the following areas of the country:

Eighteen Park Street—No. 18 Park Street, Port of Spain; DSM Plaza Chaguanas; Corner Green and Queen Street, Arima; 10 St. James Street, San Fernando; Eastern Main Road, St. Augustine; Peter's Road, Point Fortin; Upper Floor, Northern End, Trincity Mall; Brian Lara Promenade, Corner Chacon and Independence Square and the Upper Floor, Western end, West Mall, Westmoorings.

5.45 p.m.

Now, Madam President, I do not know what is going on with TSTT. First, like TSTT has gone mad. The first thing that they did without any explanation was to spend \$255 million of our taxpayers' dollars in acquiring a mobile communication system from Massy. A loss-making enterprise, we took up the slack. Up to now we cannot get a proper explanation from the Government on this matter. Then on the heels of that, Madam President, we are being told as a public that they have shut down from the 1st of January, nine Bmobile outlets.

Madam President, I go and pay my own bills because I am a grassroot, I deal with the masses and I can tell you I would go to St. Augustine and deal with that. And I really went to St. Augustine recently, but only to get this big sign telling me

TSTT Retail Stores
(Closure of)
Sen. Mark (cont'd)

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the place has been shut down—because it slipped me to follow this thing properly. So I asked them, where do I go? They say, I could go to Hilton, so I proceeded to Hilton. Madam President, it took me almost an hour and a half just to pay some bills. Whereas when I used to go to St. Augustine, within five minutes upon reaching that line everything is settled and I go on my way.

Now, Madam President, what is the justification for this action on the part of TSTT? They did not speak like RBC to the customers of Sangre Grande when they unilaterally closed their doors in the faces of hundreds and thousands of citizens. But, Madam President, what is even more alarming and disconcerting is the fact that scores of workers are now being affected by this action on the part of the management and the board of TSTT. Permanent workers are being redeployed, whimsically, arbitrarily, capriciously. Contract workers are now on the line. They do not know if they are coming or they are going. The service to the public is now in question because people do not know where to go and when they do go where they are supposed to go, it is taking them a long time to get proper service from TSTT. This kind of disrespect for a mobile provider that is owned by the people of Trinidad and Tobago is intolerable, inexcusable and unacceptable. [*Desk thumping*]

Madam President, I understand from reports that TSTT has fired several workers and the reason why they fired these workers is because when they closed down these nine stores, they just tell these workers to go here, go there, go everywhere and when these workers say, okay, we have to go, yes, but we are going under duress. They fired the workers simply for writing, we are going to take up duties but under duress. I thought, Madam President, we have a democracy here. I thought we have rights to protest. I did not know we had an authoritarian

TSTT Retail Stores
(Closure of)
Sen. Mark (cont'd)

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arrangement in this country or an autocracy where TSTT could do whatever it wants, when it wants, how it wants and treat the very workers as stooges, as nobody, as if they do not matter and these are the people who provide service to us. How can you treat people with such contumely and contempt?

Madam President, I raise this matter because the public, wherever I go they have asked me to bring this matter to the national community's attention, because they are unhappy with what this company has done, our company. I do not have no form with Bmobile. Sen. Le Hunte, I do not buy Digicel, I am a Bmobile man.

Madam President: Sen. Mark.

Sen. W. Mark: Yes, Madam President. I support Bmobile, I support TSTT, but how can TSTT treat me with that kind of contempt. Madam President, I am a valued customer. I pay my bills regularly on time and thousands of people have been dislocated as a result of this unilateral action by TSTT.

So I am calling, through you, Madam President, on the hon. Minister to provide this country with some explanation, some kind of rationalization for the action taken by TSTT and whether the Government is rethinking its position. And further, are you going to reinstate those workers that have been dismissed, because simply they are standing up for their rights? [*Desk thumping*] Madam President, they are standing up for their rights, they are saying—they are not saying I am not going to work where you send me. Sen. Le Hunte, through you, Madam President, they are saying, yes, I am going to work, but I am signing, I am doing it under duress. That is a person's right. You comply and you complain and that is what the workers did. But they have dismissed these workers.

So, Madam President, I am calling on the hon. Minister to provide us with some explanation, rationalization for this action and I call on the Government to

TSTT Retail Stores
(Closure of)
Sen. Mark (cont'd)

immediately reverse that decision that they have taken to shut down these nine outlets and reopen these outlets and reinstate these workers. Thank you very much, Madam President. [*Desk thumping*]

The Minister of Public Utilities (Sen. The Hon. Robert Le Hunte): [*Desk thumping*] Madam President, the closure of the nine retail stores by TSTT was a critical strategic business decision taken to ensure the survivability of the company and its ability to strive and remain profitable in an extremely competitive global market environment where the telecommunications and information communications and technology landscape has been evolving at a fairly rapid pace. It is in this context, Madam President, that TSTT has been pursuing a strategy of digital transformation directed at transforming the company from being a legacy 20th Century traditional telecommunications company to a modern 21st argyle broadband communications entity utilizing cutting edge technology to provide solutions and service to its customers. The strategy is anchored on two fundamental pillars, retail transformation and copper replacement.

Madam President, the objective of the retail transformation strategy is to ensure that all TSTT customers are provided with an exceptional service experience across all of the company's customers touch points and distribution channels as a result of the expansion of the company's digital footprint.

Madam President, this move by TSTT to close nine of its retail stores on the 31st of December, 2017, was done after careful assessment of the company's situation. TSTT conducted an in-depth analysis of its retail operations which reveals the following: One, operating cost of the nine stores was more than \$80million. Whereas incremental revenue generated was less than \$8 million.

Hon. Senator: Wow.

(Closure of)

Sen. The Hon. R. Le Hunte (cont'd)

Sen. The Hon. R. Le Hunte: More than 300 workers were employed at these nine stores with wages and salaries in excess of the industry benchmark. For example, some cashiers' salaries were reported to be in the vicinity of something like \$17,000 per month. The situation resulted in an extremely high personnel cost. Finally, most of the customers' transactions, over 75 per cent, as Sen Mark revealed, were related to bill payments. Over 75 per cent of the transactions done by these stores were basically bill payments.

There were numerous complaints about the quality of service provided and more irritation centered around the wait time that customers had to wait at these stores, transactions that were deemed to be done in minutes were actually done in hours. It was against this backdrop that TSTT management took the hard decision to close the nine retail stores. To deal with the expected fallout from bill paying customers resulting from the closures of the retail stores, TSTT has partnered with commercial banks, Massy Stores, through Western Union and its channel partners network, the dealers to provide more than 250 payment outlets throughout Trinidad and Tobago where customers could pay their bills. We moved from nine to over 250.

In addition, TSTT has launched an enhanced online payment portal with state-of-the-art features and has introduced interactive payment kiosks that will be deployed nationally for further expanding payment options. Additionally, Madam President, the other services which were provided at the retail stores, the nine retail stores are available at the more than 87 dealers located country wide. The dealers were in existence since the inception of Bmobile have been up upgraded to facilitate full service customer transactions. Madam President, the cumulative impact of all these initiatives has resulted in a more service oriented architecture

TSTT Retail Stores
(Closure of)
Sen. The Hon. R. Le Hunte (cont'd)

for TSTT, thus facilitating easier access to service and improved service quality. This can be expected to have a positive impact on the public.

Madam President, the issue of staffing is one that has raised some concern. I am advised that employees' well-being was a key factor in the decision-making process. At the time of the closure of the retail stores, the staff at the retail stores were comprised of 204 permanent employees and 96 persons contracted by various agencies which had been periodically engaged by TSTT to provide support services on an as needed basis.

I am advised that with the closure of the nine retail stores, TSTT has offered suitable and comparable positions within the organization to all permanent staff. The company has assessed their current skill levels and these employees are to be retrained and redeployed in jobs within TSTT. This arrangement will not only facilitate personal growth but would also enrich their career development. It must be reiterated that the employees transitioning from the retail stores to other locations within the organization will suffer no loss to their salary or benefits.

Madam President, as it pertains to the 96 employees of the various agencies, it is my understanding that the agencies are currently in discussions with TSTT pertaining, channeling some of these employees to the dealership and it is my feedback from management that all attempts would be put in place for all 96 workers to be absorbed by the dealers. I thank you. [*Desk thumping*]

Tamana Intech Park

Sen. Wade Mark: Thank you very much, Madam President. Madam President, I rise to address a matter of national interest and national concern. The failure of the Government to properly explain its decision to transfer over \$300million of its unspent funds to the completion of the UTT's signature building complex in

Tamana.

Now, Madam President, we awoke on December 31st, Sunday, December 31st to a screaming headline in the Trinidad *Guardian* which read as follows: funds from cash strapped university to finish InTech Park: \$300 million pulled from UTT. This was a story in the *Guardian* of Sunday the 31st of December. Since that headline, Madam President, the country has been inundated with a lot of headline stories surrounding the future of UTT including the possibility of hundreds of workers being placed on the breadline through retrenchment.

Madam President, the population has not been given any clear understanding and appreciation from the Government as to why this transfer of some \$323 million from its reserves and it concomitantly transferred these funds from what is called operating funds to capital project funds. So they moved that money from what is called operating funds to capital projects funds. And, Madam President, this has resulted, as you are well aware, of the university writing to the unions representing hundreds of workers outlining to them that action is about to be taken to scale down UTT operations.

Madam President, if you cut your operating costs and you place over \$300 million into capital projects, what impact that will have on the university's non-teaching staff responsible for the administration, enrollment and accreditation of students? What impact will this have on the teaching staff of that particular university?

Madam President, we understand that at that particular university, foreign workers are handsomely rewarded and their pay package or packets or packages are kept as a secret. We do not know how much money the President of UTT receives. That is a secret. But I want to serve notice on the Minister of Education, that I intend to bring a question to this Parliament to give the country a detailed

breakdown of all the salaries received by the top officials at that university. [*Desk thumping*] They cannot be receiving taxpayers' money and nobody knows how much they are getting. That is an issue that we have to clear up, Madam President.

So, Madam President, we are being told by stories that appear in the newspapers that UTT is about to restart or rebuild the Park, the InTech Park, it is called the Tamana InTech Park. Now, there are some questions that I would like the hon. Minister to really provide some clarification on. For example, that money is being allocated to this particular campus; we would like to know how many staff and students would be accommodated at that campus, because you are using over \$300 million for this particular park. We would like to know what programmes are to be implemented at this campus location that they are seeking to allocate this money. We also want the hon. Minister to explain to us which campuses are earmarked for closure with the opening of the Tamana campus, Madam President.

We would also like to know what will be the monthly or annual operating cost for this Tamana campus. And, Madam President, why did the Government allow UTT to remove close to \$300 million in order to facilitate that money into this Park called the Tamana InTech Park when we know that we are into a budgetary period of constraints. We would like to know from the Minister, did the Government and the Ministry of Finance approve of such relocation from the operating funds budget to the capital project budget? Did the Minister of Finance give approval for that? We would like to know what is the Government's overall plan for this Tamana industrial estate and who are the investors that are coming there? Is there an interface between the investors and the UTT, Madam President, because we are allocating \$300 million and we do not have information to justify this move because people are being sent home?

Madam President, we would like to know based on what has happened at

this Park, the Tamana InTech Park, what is the total cost of that campus thus far? How much money has gone in there? Madam President, we would also like the Minister to share with us who are the contractors and were the contractors changed in the last two years? And could he explain why, if they were changed? We understand, Madam President, that there are health and safety issues at this particular location and recently a worker died on site at this particular park. And if we are going to pump \$300 million and/or more into this Tamana InTech Park, we would like to know what are the plans and dates for the opening of such a facility.

Madam President, it seems to us that the Government is allowing Ken Julien to do whatever he wants. He is the tsar. He does whatever he wants. So he decides, Madam President, to take from the operating fund of UTT and unilaterally removed that \$323 million and put it into the capital projects fund and there is no justification for it, there is no rationalization for it. I have to bring a Motion in this Parliament in order to get the Minister of Education to try to explain the Government's position on this matter. This is taxpayers' money and if the Government is going to do these things they must have the courage to explain to the nation why they are doing what they are doing.

Madam President: Sen. Mark, you have one more minute.

Sen. W. Mark: And we cannot have a gentleman called Ken Julien behaving like a tsar in this country. This man should be retired.

So, Madam President, we want answers from the Government on this matter because hundreds of workers jobs are on the line and we want to know why the Government has taken the action it has taken without providing answers to the country. I thank you very much, Madam President. [*Desk thumping*]

The Minister of Education (Hon. Anthony Garcia): Thank you very much, Madam President. Madam President, Sen. Mark never fails to amuse me when he

gets up to speak because very often he does two things: one, he listens to rumour and secondly, he distorts the facts. Let me lay bare the facts this afternoon, and in doing so let me take the opportunity to give a brief history of this project.

Madam President, the decision to build the Tamana Campus was made by Cabinet in the year 2007. The estimated capital cost was \$1.8 billion. Over the years this project was met with several delays; delays in construction and this resulted in an escalation in the cost. For example, there were financial shortfalls of \$101.5 million. There were redesigns leading to variations to the amount of \$500 million and I will explain that “ah lil more”. The revised cost, therefore, Madam President, now stands at \$2.4 billion. The project comprised an east wing, a west wing, a graduation pavilion, classrooms, laboratories, offices and ancillary services. And this was to facilitate a student population of approximately 5,000 souls.

The UTT wrote to the Ministry of Education in May 2016 seeking the Ministry’s approval to use part of its recurrent cash savings to meet: one, long past due capital liabilities. Let me repeat. To reduce and to meet long past due capital liabilities; and two, to continue the work of the east wing, not the entire project. The estimated cost, Madam President, of the east wing was \$221.8 million.

Madam President, the build-up of capital liabilities over the period 2010 to 2015 amounted to and let me give a detailed explanation of this. For the fiscal year 2010/2011, the funds requested was \$972 million; the allocation received was \$211.5million; a shortfall of \$236 million, approximately. Fiscal year 2011/2012, what was requested was \$1.28 billion and what was received was \$57,470,000; a shortfall of \$61,152,000. Fiscal year 2012/2013, \$453,276,000 was requested; what was received was \$211,595,000. Fiscal year 2013/2014, what was requested \$679.97 million; what was received was \$102.583 million. And fiscal year

2014/2015, what was requested was \$542.7 million, what was received was \$122 million.

6.15 p.m.

This indicates quite clearly that it was during the last regime that that project was starved for funds. If the allocations that were requested were made, we would not have been in this position today, and therefore, Sen. Mark cannot come here and gallery as though he is without sin. The problem that—

Sen. Mark: I am not without sin? Who said so?

Hon. A. Garcia: The problem that we have here rests solely on the last regime. Madam President, I have just indicated to you, quite clearly, the build-up of the capital liabilities over the period 2010 to 2015. Madam President, \$323 million is now allocated to be spent and this would take care of the \$101.5 million payment for past due liabilities, and \$221.8 million will facilitate the completion of the east wing. But since then, the capital liabilities have risen from \$101.5 million to \$170 million.

Madam President, Sen. Mark made heavy weather about an article that appeared in *Trinidad Guardian* on Sunday 31st December. Since I was a little boy in short pants I was told by my parents, never take for granted what is printed in the newspapers—never at all. In fact, in yesterday's *Guardian*, headlined: Garcia talks about trimming the fat and cuts.

I never uttered those words—never. But today we have Sen. Mark attempting to parade in this Senate with false information.

Sen. Mark: Not me—[*Interruption*]

Hon. A. Garcia: False information. [*Interruption*] False information, Sen. Mark—

Sen. Mark: You are here to clear the air.

Hon. A. Garcia: And that is consistent with your performance every time you

stand up.

Sen. Mark: You sure about that? “I think yuh getting old, yuh know.” [*Desk thumping*] I think you are bordering on senility.

Madam President: Sen. Mark, no, no, no, no.

Sen. Mark: All right, I withdraw that.

Madam President: And apologize, Sen. Mark?

Sen. Mark: I apologize.

Madam President: Yes.

Sen. Mark: Because that is my friend.

Madam President: Continue, Minister.

Sen. Mark: That is my friend, eh.

Hon. A. Garcia: Thank you very much. Sen. Mark was once my friend. [*Laughter*] Madam President, it is important for me to state at this point that the \$323 million that was moved from accumulated savings over the period, that sum of money has been fully utilized in order to pay long past due liabilities. Thank you very much. [*Desk thumping*]

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 6.18 p.m.