

SENATE*Tuesday, June 26, 2017*

The Senate met at 1.30 p.m.

PRAYERS[MADAM PRESIDENT *in the Chair*]**CORPORATION TAX (AMDT.) BILL, 2018**

Bill to amend the Corporation Tax Act, Chap. 75:02, brought from the House of Representatives [*The Minister of Finance*]; read the first time.

Madam President: Minister in the Ministry of Finance.

The Minister in the Ministry of Finance (Sen. The Hon. Allyson West): Thank you, Madam President. Madam President, in accordance with Standing Order 62(1)(b), I beg to move that the next stage of the Bill be taken on Wednesday, June 27, 2018.

Madam President: Could you repeat the date?

Sen. The Hon. A. West: June 27, 2018. Thank you, Madam President.

Sen. Mark: Madam Chair?

Madam President: No. At this stage, no, you know, Sen. Mark. I have to put the Motion.

Motion made: That the next stage be taken on Wednesday, June 27, 2018.

[*Hon. A. West*]

Question put.

Sen. Mark: No. And a division, Ma'am.

The Senate divided: Ayes 19 Noes 6

AYES

Khan, Hon. F.

Gopee-Scoon, Hon. P.

Corporation Tax (AMDT.)
Bill, 2018 Division (cont'd)

Baptiste-Primus, Hon. J.

Rambharat, Hon. C.

Sinanan, Hon. R.

Moses, Hon. D.

Hosein, Hon. K.

West, Hon. A.

Le Hunte, Hon. R.

Henry, Dr. L.

Singh, A.

Cummings, F.

De Freitas, N.

Dookie, D.

Huggins, R.

Roach, HRI

Small, D.

Chote SC, Ms. S.

Richards, P.

NOES

Mark, W.

Haynes, Ms. A.

Ameen, Ms. K.

Hosein, S.

Obika, T.

Ramdeen, G.

Dr. D. Mahabir abstained.

Question agreed to.

PAPERS LAID

1. Annual Audited Financial Statements of the Cocoa Development Company of Trinidad and Tobago Limited for the period December 23, 2013 to September 30, 2014. [*The Minister in the Ministry of Finance (Sen. The Hon. Allyson West)*]
2. Annual Audited Financial Statements of the Cocoa Development Company of Trinidad and Tobago Limited for the financial year ended September 30, 2015. [*Sen. The Hon. A. West*]
3. Annual Audited Financial Statements of the Cocoa Development Company of Trinidad and Tobago Limited for the financial year ended September 30, 2016. [*Sen. The Hon. A. West*]
4. Annual Administrative Report of the Rural Development Company of Trinidad and Tobago Limited for the fiscal year 2012/2013. [*The Minister of Rural Development and Local Government (Sen. The Hon. Kazim Hosein)*]
5. Annual Audited Financial Statements of the Rural Development Company of Trinidad and Tobago Limited for the year ended September 30, 2013. [*Sen. The Hon. K. Hosein*]
6. Annual Administrative Report of the Point Lisas Industrial Port Development Corporation Limited (PLIPDECO) for the year 2014. [*The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan)*]
7. Final Audit Report of the Trinbago Unified Calypsonians' Organization (TUCO) Operations for the period October 2013 to September 2016. [*The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan)*]

8. Final Audit Report of the National Carnival Bands Association (NCBA) Operations for the period October 2013 to September 2016. [*Sen. The Hon. F. Khan*]
9. Final Audit Report of Pan Trinbago (Inc.)'s Operations for the period October 2013 to September 2016. [*Sen. The Hon. F. Khan*]

JOINT SELECT COMMITTEE REPORTS

(Presentation)

Sen. David Small: Madam President, I have the honour to present the following reports as listed on the Order Paper in my name:

State Enterprises

Evolving TecKnologies and Enterprise

Development Company Limited

Ninth Report of the Joint Select Committee on State Enterprises, Third Session (2017/2018), Eleventh Parliament on an inquiry into the operations of Evolving TecKnologies and Enterprise Development Company Limited (e Teck), and to determine its effectiveness in fulfilling its mandate to make suitable real estate available to qualified tenants, developers and operators in a commercially viable manner.

Caribbean Airlines Limited

Follow-up Report of the Joint Select Committee on State Enterprises, Third Session (2017/2018), Eleventh Parliament on an inquiry into the Administration and Operations of Caribbean Airlines Limited.

URGENT QUESTIONS

University Graduates Facing Unemployment

(Measures Taken)

Madam President: Sen. Mark. [*Desk thumping*]

Sen. Wade Mark: Thank you, Madam President. Welcome back, Ma'am. To the hon. Minister of Education: In light of reports that University graduates are now facing unemployment and underemployment, what measures are being taken to address this issue?

Madam President: Minister of Education. [*Desk thumping*]

The Minister of Education (Hon. Anthony Garcia): Thank you very much, Madam President. The Ministry of Education is cognizant of the changing labour needs of our society, and the economic circumstances of our twin-island republic has undertaken several initiatives that will impact the quality of graduates from our secondary and tertiary institutions. These include the development of new curricula at the secondary level in the following areas: digital media, logistics and supply-chain management, animation and gaming design, green engineering and entrepreneurship. Also, refocusing and re-purposing of the technical and vocational offerings.

At the tertiary level, emphasis is being placed on innovation and entrepreneurship, focusing on career guidance on the intake side, reshaping the programme offerings to ensure that the graduates are flexible and can adapt to the changing work environment. On the output side, the universities are strengthening the local and regional placement of candidates, exploring the possibility of extra-regional or international placement of graduates. For example, let us look at COSTAATT: COSTAATT has realigned its mandate to provide training in paraprofessional, technician, and the technological level in response to labour market employer feedback obtained in 2015, 2016 for the college's master plan.

Madam President: Minister, your time is up.

Hon. A. Garcia: Thank you.

Madam President: Sen. Mark.

Sen. Mark: Thank you, Madam President. Madam President, could the hon. Minister indicate to this honourable House how successful have been the efforts of the Government to place unemployed university graduates at the regional and/or international level, as he has indicated?

Madam President: Minister.

Hon. A. Garcia: Madam President, these initiatives have been met with mixed responses. Because of the challenges that this country now faces in terms of our finances, in some areas we are having some difficulties. For example, in the medical field, every year approximately 200 doctors graduate, and we are finding some difficulty in placing these doctors. However, there are a number of countries—in South America, in Europe—where there is a deficiency where medical personnel are concerned, and this is an area where we are seeing some traction where some of our medical graduates can seek employment. Thank you.

Madam President: Sen. Mark.

Sen. Mark: Can the Minister indicate to this House whether the Government has established the number of graduates who have been unemployed for the last, maybe two years in this country? Has the Government been able to arrive at a number, Madam President?

Madam President: Minister.

Hon. A. Garcia: Thank you very much, Madam President. At this point I am not in a position to state any quantum of graduates who have been unemployed. We are working with the Ministry of Labour and Small Enterprise Development through a manpower survey to see how best we can ensure that our graduates, both at the tertiary and the secondary levels are placed, but at this point I am not in a position to provide numbers.

Madam President: Next question, Sen. Mark.

**Beetham Area Recent Shootings
(Investigation of)**

Sen. Wade Mark: To the hon. Minister of National Security: In light of reports of recent shootings by police officers on Third Street in the Beetham area, during which the lives of residents were endangered, has this matter been investigated and what are the findings of such investigation?

Madam President: The Minister of National Security.

The Minister of National Security (Hon. Maj. Gen. Edmund Dillon): Thank you, Madam President. Madam President, that matter is still under investigation by the Trinidad and Tobago Police Service.

Madam President: Sen. Mark.

Sen. Mark: Madam President, is the Minister aware that on that particular morning police officers released over 100 bullets or shots in that community damaging the homes of several citizens? Is the Minister aware of this?

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

Sen. Mark: Madam President, may I ask whether there are any protocols, through you, to the Minister? Are there protocols established in the police service as it relates to the releasing of bullets in neighbourhoods where citizens are unarmed? Are there any protocols in the police service that would guide and govern that kind of activity, Madam President?

Madam President: Minister.

Hon. Maj. Gen. E. Dillon: Madam President, the incident that Sen. Mark refers to is one in which there was an exchange of gunfire and the police were carrying out their lawful duties in trying to apprehend those who fired upon them. The matter is still being investigated by ASP Gould at this point in time.

Madam President: Next question, Sen. Mark.

Curepe Flyover
(Affected Property Owners)

Sen. Wade Mark: To the Minister of Works and Transport: Having regard to reports that property owners affected by the construction of the Curepe Flyover were underpaid by the Government, can the Minister indicate if the valuations done were based on market value?

Madam President: Minister of Works and Transport.

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): Thank you, Madam President. Madam President, I am unaware of any report that property owners affected by the construction of the Curepe flyover were underpaid by the Government. What I can say is that negotiations between the valuation department and the affected landowners are ongoing. So far, none has been completed, therefore no payments would have been made, so the matter of underpayment does not arise. Thank you. [*Desk thumping*]

Madam President: Sen. Mark.

Sen. Mark: Madam President, could the hon. Minister indicate what methodology is being employed in those negotiations between the Government and the residents?

Madam President: Minister.

Sen. The Hon. R. Sinanan: Thank you. Madam President, Cabinet would have approved the approach of compulsory acquisition, and at this point in time the Commissioner of Valuations is using the approach of compulsory land acquisition for the acquiring of the affected properties.

Madam President: Sen. Mark.

Sen. Mark: Madam President, can the Minister indicate whether the residents are unhappy with that methodology and that is why the protest is being recorded as it

relates to possible low levels of compensation for their properties?

Madam President: Sen. Mark, I will not allow that question.

ORAL ANSWERS TO QUESTIONS

Madam President: Leader of Government Business.

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Madam President, the Government will be answering questions No. 153 and 154, and we ask for a deferral of questions numbers 155, 183 and 187 for two weeks.

Madam President: So questions 155, 183 and 187 are deferred for two weeks. Sen. Mark.

The following questions stood on the Order Paper:

Passenger Ferries

(Status of Vessels)

155. Can the hon. Minister of Works and Transport advise the Senate whether the *MV Su*, *HC Olivia*, *HC Katia* and the *HC Milancia* are in service, and if not, the status of said vessels? [*Sen. W. Mark*]

Chatham Government Primary School

(Status of)

183. Given the shortage of primary school spaces for new students in Point Fortin and environs, can the hon. Minister of Education advise when will the new Chatham Government Primary School be completed and opened? [*Sen. T. Obika*]

MTS Workers

(Details of Salary Deductions)

187. Given recent reports that salary deductions from MTS workers are not being remitted to certain financial and related institutions, can the hon. Minister of Labour and Small Enterprise Development indicate the following:

- (i) the number of workers affected by this situation; and
- (ii) when will this issue be remedied? [*Sen. T. Obika*]

Questions, by leave, deferred.

Vehicular Accidents on Morne Coco Road

(Measures Implemented)

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

Given the recent protests by residents in the vicinity of Morne Coco Road, Four Roads, Diego Martin, what measures are being implemented to curb or reduce the incidence of vehicular accidents and road fatalities in that area?

Madam President: Minister of Works and Transport.

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan):

Thank you, Madam President. Madam President, currently the Ministry of Works and Transport, through the PURE unit, is in the process of conducting preliminary work leading to the construction of the pedestrian overpass traversing the Diego Martin Highway in the vicinity of the intersection of the highway and Morne Coco Road. In the meantime, the Traffic Management Branch has implemented numerous initiatives to curb the incidence of accidents in the vicinity, such as improving visibility of the traffic signals where there was a difficulty at certain times of the day. Pedestrian bells were included to notify pedestrians on when they should cross the roadway.

Accessible pedestrian signals were included to notify abled and disabled pedestrians wishing to cross various segments of the intersection. One, turning movement was eliminated for motorists from the Morne Coco Road wishing to go

to the Diego Martin Main Road. Updating timing plans for the traffic signals was also done to assist with mobility at the intersection. Road safety signs were erected on the Diego Martin Highway via the Ministry of Works and Transport and Arrive Alive. I thank you.

Madam President: Sen. Mark.

Sen. Mark: Yes, thank you, Madam President. Madam President, can the Minister indicate, since the implementation of those various measures, has there been a visible reduction in the incidence of vehicular accidents in that vicinity of the Morne Coco Road?

Madam President: Minister.

Sen. The Hon. R. Sinanan: Thank you. Madam President, I am sure that information will be available at the Ministry's Traffic Management Branch, and I will make it available to the Senator in the shortest possible time. Thank you.

Madam President: Next question, Sen. Mark.

T&T Spirit

(Details of Audit)

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

Having regard to the concerns expressed by the Minister about delays experienced in having repair works to the *T&T Spirit* concluded, and the decision to have an audit conducted, can the Minister indicate the following:

- i. who will be conducting the audit;
- ii. when is it scheduled to commence; and
- iii. how long is it expected to take?

Madam President: Minister of Works and Transport.

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): Thank you, Madam President. Madam President, having regard to the decision to

have an audit conducted on the repair work of the *T&T Spirit*, I wish to inform this House that the tender for the auditing firm is being evaluated at present. It is expected that the firm will be engaged within the next month, and the audit is expected to take between six and eight weeks. Thank you.

GALLEONS PASSAGE

(TABLING OF VALUATION REPORTS)

Madam President: Sen. Mark, I call on you, but may I just indicate to Members that I have granted leave, pursuant to Standing Order 42(11), to Sen. Mark. Sen. Mark. [*Desk thumping*]

Sen. Wade Mark: Thank you very much, Madam President. I beg to move the following Motion standing in my name:

Whereas the Government has acquired the *Galleons Passage*, a new inter-island passenger ferry in a procurement arrangement that did not include the Central Tenders Board;

And whereas the Minister of Finance has advised that the Government was guided in the amount it paid for the vessel by the valuation reports of two independent international firms;

And whereas it was discovered that one of the two firms that conducted the valuation is owned by the same company from which Government purchased the vessel;

And whereas in the interest of transparency and accountability in the procurement of the inter-island passenger ferry, several requests were made for the Minister of Finance to provide the Senate with copies of the valuation reports, the Memorandum of Agreement between NIDCO and the vendor of the vessel and the Dun & Bradstreet Report on the *Galleons Passage*; yet none of these documents have been provided;

Be it resolved that this Senate call on the Minister Finance to table, within 14 days, copies of the valuation reports, the Memorandum of Agreement between NIDCO and the vendor of the vessel and the Dun & Bradstreet Report on the *Galleons Passage*.

Madam President, the common denominator which led to my filing of this Motion had to do with the Minister of Finance's responses to several questions posed by myself. When the Minister referred to a number of companies which played significant roles in the ultimate acquisition and/or procurement of the now infamous *Galleons Passage*, namely, the Sea Transport Corporation, which has some 10 subsidiary companies under its direct control; secondly, the Sea Management Corporation; thirdly, Sealease Limited; and, finally, Oceanic Design & Survey Limited.

Madam President, our interest was piqued even further when we discovered that the common thread running through all of these companies is one Stuart Edward Ballantyne, the gentleman whose company the *Galleons Passage* was purchased from. Madam President, the last company, Oceanic Design & Survey Limited is one of the two companies which conducted the alleged independent valuation to which the Minister of Finance publicly reported was used as the benchmark for the Government's final decision to purchase this vessel for a price of US \$17.4 million.

The public is asking whether this US \$17.4 million which was paid for the *Galleons Passage* was worth it. Did the people of Trinidad and Tobago receive value for their money? Madam President, we can only know this when the information and documentation which we have requested are made available to this honourable House. This is what this Motion is asking and demanding and calling

for the Government to release. This is what the people are also demanding, Madam President.

Madam President, there is need for the Minister of Finance to inform this Parliament in whose name or in which company's name was the US \$17.4 million deposited. Was it Sea Transport Corporation, whose asset based on their balance sheets, based on the search conducted, is just under 6.4 million Australian dollars, or is it Sealease Limited of Hong Kong whose single shareholder is Sea Management Corporation Services Limited as trustees for the Valentine and Dawson Family Trust at ANZ Bank in Australia? Which one of these entities received into their bank account this US \$17.4 million deposit? Which jurisdiction is that ANZ Bank that received the US \$17.4 million located? Is it Hong Kong, Madam President? Is it indeed Australia where our Prime Minister recently paid a working visit?

Madam President, the people are also asking for the arbitration documents and records entered into by the previous purchaser, the Venezuelan client known as Gran Cacique, as alluded to by the Minister in the Office of the Prime Minister and MP for Port of Spain North/St. Ann's West at a press conference of the Cabinet held on the 18th of January, 2018. Another area of concern to the people is whether a particular broker offered the *Doña Mercedes*, IMO—that is International Maritime Organization, 977—I want to read it slowly, the *Doña Mercedes*, IMO number is 9772888, now rechristened the *Galleons Passage*.

2.00 p.m.

The *Galleons Passage*, Madam President, was established—was proceeded with by a Cabinet subcommittee chaired by the distinguished Minister of Finance.

Madam President, this is important for the Minister of Finance to clarify

since there is information in the public domain which suggests that this broker is indeed involved and was indeed involved in the sale of three water taxis to Trinidad and Tobago in 2008 when the substantive Minister of Works and Transport and the Member of Parliament for Diego Martin North/East was then responsible for the purchase of these three water taxis.

Can the Minister of Finance inform this House in his response whether the broker of 2008 is the same broker who offered the *Galleons Passage* on behalf of their affiliate in Australia who the Minister of Finance alluded to on the 18th of January, 2018?

And whilst he is on his legs responding, could the Minister confirm in his response, whether the broker carries the name of John Aitkenhead. Let me spell that name so that nobody will make a mistake. John Aitkenhead, A-I-T-K-E-N-H-E-A-D, and he owns a firm called International Broking Services. We would like to know whether this gentleman, John Aitkenhead, is the sole owner and/or director of this IBS firm or whether there is one Susan Aitkenhead also associated with this firm? And is there a link, I am asking, Madam President, between this gentleman, John Aitkenhead, the Minister of Finance and the Ballantyne Group of Companies? These are questions that we are asking.

Did the Minister of Finance and the owners and director of IBS have an earlier relationship arising out of the purchase of these three water taxis in 2008, the *Katia*, the *Olivia* and the *Milancia*, which cost the taxpayers approximately \$12 million each?

Madam President, I would like to share with this honourable House the genesis of this entire “ferry-gate” fiasco. Madam President, may I remind you and this honourable House, it was the Government of this country that established a

Cabinet subcommittee which was announced at a post-Cabinet press conference on Thursday, November 30, 2017? According to the Minister of Finance the mandate of the subcommittee was to identify suitable vessels for sale or for lease. This decision effectively by passed the standard procurement process involving the Central Tenders Board, and based on numerous purported and alleged failures of the various Port Authority tenders committee efforts to locate a suitable vessel to service the sea bridge, which was having negative long-term effects on the Tobago economy, as well as domestic travel between the islands, the Government determined or decided to go the route of direct engagement contrary to well-established procurement practice and Central Tenders Board Rules.

The Prime Minister decided to establish a subcommittee which was chaired by, and I think still chaired—still under chairmanship I should say—of the Minister of Finance, and included the Minister of Public Utilities, Sen. The Hon. Robert Le Hunte, the then Minister of Tourism now the Minister of Sport and Youth Affairs and MP for Tobago West, and the Minister with responsibility for Communications now, and Minister in the Office. These are the four persons who made up this subcommittee.

This novel approach effectively undermined and eroded the established procurement process utilized by the Central Tenders Board. But why, one may ask? We hope that the Minister of Finance will be able to clear the air with the facts surrounding this entire, untidy and messy affair which is fuelling intense anxiety and public disquiet.

Madam President, it was on January 18, 2018, that the Minister of Finance along with another Member of the Cabinet subcommittee informed the public via a Cabinet press conference of his role in identifying a suitable vessel out of the ones

which were offered to him or the committee. At that press conference the Minister spoke at length on the main players involved in this transaction. One, Lloyd's registered at the shipyard in China. Two, Dun & Bradstreet for the financial assessment and all company information of all the parties involved. Three, Haynes and Boone, attorneys-at-law in the UK were used to provide legal services. And four, Sea Transport Corporation of Australia, which is the operating arm of the Stuart Edward Ballantyne Group of Companies.

Madam President, the Minister alluded to a fifth party, an unnamed party, a ship broker, one of 10 which the Minister sent an invitation to tender. May I remind you, hon. Madam President, that it was on March 20, 2018, when the Minister was asked by me whether there was any broker involved in acquisition of the *Galleons Passage* and the Minister bluntly replied and I quote that:

“No broker was used in the procurement process of the *Galleons Passage*.” We have already established, Madam President, that a broker was used to acquire the *Galleons Passage* and his name is Mr. John Aitkenhead of the international broking system [*Desk thumping*] but the Minister came to this House and put on the *Hansard* record that there was no broker involved when the evidence is showing that a broker was involved.

Madam President, throughout the post-Cabinet press conference on March 18, 2018, the Minister of Finance alluded to the involvement of Lloyds. However in March—in February, 23rd of February, 2018, a popular TV host highlighted the design of the top deck of a vessel called the *Doña Mercedes*, IMO number 9772888 which was launched in October of 2016. I am being disturbed.

Madam President: Members, Members, please. I am trying to listen. Could you listen to the Senator in silence? Continue, Sen. Mark.

Sen. W. Mark: Madam President, this particular Minister of Finance who held this press conference indicated to us the involvement of Lloyd's. However, on February 23, 2018, a popular TV host highlighted the design of the top deck of the vessel the *Doña Mercedes*, IMO number 9772888 which was launched, and I want you to listen carefully, the *Doña Mercedes* was launched in October of 2016. But is this not the identical number of the newly brand *Galleons Passage* which was commissioned and which we bought and took control of on the 8th of February? But this same *Galleons Passage* known at that time as the *Doña Mercedes* was launched and left the shipyard in October of 2016. So, we are unravelling this puzzle, we are unravelling this puzzle, Madam President.

Further, in words of the Minister of Finance on the 18th, I am quoting him because I have the tape with his voice recorded. I have the tape with Minister's voice recorded on the 18th January and I am quoting him for you and the record. Hear the Minister of Finance:

“...I've seen all sorts of stories about how this boat was in storage. I've read that somewhere that there was a boat in storage for a couple years, you know, just rusting away, and then we decide to buy this old boat that nobody wanted.”

Hear him:

“Not true.”—not true. Madam President:

“The construction of the...”

—vessel according to the Minister and I quote:

“...was completed two days before we went out for our search.”

They went out for their search in December, and the Minister is telling the country that two days before they went out for the search, this vessel was completed, brand

new vessel completed.

According to the Minister it was through sheer happenstance that the boat was completed, just so magically, just a few days prior to their worldwide search in December of 2017. Madam President, I have just spoken for the record that the *Doña Mercedes* was launched in October of 2016, and the same IMO number is recorded for the *Doña Mercedes* as is recorded for the *Galleons Passage*. [*Desk thumping*]

Madam President, may I go on to bring you up to speed with this mystery which we are now trying to unravel? It is a mystery. May I remind this honourable House that the *Doña Mercedes* was formally launched in September of 2016 and was due in Venezuela by the new owner in December of 2016. This vessel known as the *Doña Mercedes* carried coincidentally the same IMO number as that of the now infamous *Galleons Passage*. Yet the public was told that this was a brand new vessel.

What I am saying, the Minister has to explain. How can the Minister tell this country that this vessel was a brand new vessel, when this vessel left the shipyard and was sailing on the Chinese sea or the China seas since of October of 2016, and we only came the location of that vessel of December 2017? So one year and almost three—October, November, December—one year and three months, 15 months, that boat was all over the seas of China, and yet still the Minister tells this country it was a brand new vessel. Madam President, this thing has become like *Alice in Wonderland* “curiouser and curiouser” as we dig deeper and deeper into this matter.

Madam President, we are advised that according to the original client, and the original client in Venezuela, his company name is Gran Cacique and the vessel

was due in Venezuela in December of 2016 as documented on the company's website. And I can share with the entire Parliament all the records coming out from the newspapers in Venezuela indicating that the *Doña Mercedes* was supposed to have arrived in October of 2016, in November of 2016.

Madam President, according to the Minister at his news conference on January 18, 2018, when he admitted and I quote:

We are satisfied that the price of US \$17.4 million is a fair and reasonable market price.

That is what we are told by the Minister; it was a fair and reasonable market price.

Madam President, we have evidence before me to show that this boat when it was purchased initially by the owner, Gran Cacique of Venezuela, the original price for a brand new boat, US \$15 million. I want to repeat. When the owner contracted the shipyard in China to build this boat in 2014, the contract price was US \$15 million from scratch to finish.

The owner at that time had paid, had made four instalments of 20 per cent each before delivery. That 80 per cent of \$15 million would amount to close to \$12 million. We are trying to get a contract of that arrangement, but we know that it was 80 per cent paid to the owners of that company, but the owners in Venezuela could not conclude the transaction. So one can assume that something happened there, either they seized the money or they gave back the money, I do not know. We have to investigate that.

What we do know is that the Minister came to this Parliament and said he got two valuation reports which he is yet to place on our desks. One from Schulte Marine of China, and he said they had estimated that at what, Madam President?—\$35 million and was paid a fee of US \$4,500, and the other one was known as

Oceanic Design & Survey. But you know what the Minister never told us? The Minister never told this Parliament that Oceanic Design & Survey, Madam President, was owned by Stuart Edward Ballantyne, the same individual who sold the boat to the Government of Trinidad and Tobago.

So, Madam President, you are buying a boat and you get the owner of the boat whose company is called Oceanic Design & Survey to do a valuation report, and then give you that valuation report, and you came to this Parliament and boasted that the valuation given by Oceanic was US \$19 million, and he was able, and when I say “he”, the Government was able to negotiate downward to \$17.4 million.

If a brand new vessel costs you and me US \$15 million, how can an old vessel floating on the China sea for almost 15 months cost us \$17.4 million? The maths are not adding up; the Minister has a lot of explaining to do. [*Desk thumping*] How can a boat that has been in the ocean for almost 15 months cost us more than a new boat that will cost us US \$15 million? The Minister has to answer that. He has to answer that.

Madam President, he is jittery, you know, that is why he is answering so. I want to ask the Minister, if you—and he is “steupsing” all over the place—if the Minister has nothing to hide and the Government has nothing to hide, I would like the Minister to table in this Parliament, where the cheque or the wire transfer, where was the \$17.4 million sent to? Who was it sent to? [*Desk thumping*] Madam President, we are told that that money of \$17.4 million was not sent to the company that is registered on the Australian Stock Exchange that submits annual reports to the Securities and Exchange control of Australia. That money was not sent to Sea Transport Corporation that is the legitimate body that we bought the

boat from. You know where that money went to? The money, and that is why the Minister—I want to call on the Attorney General to follow the money. [*Desk thumping*] Madam President, you know where that money went to?—and the Minister must declare. If he has nothing to hide, bring the cheque or bring the evidence to show who got the wire transfer, where the money went to?—\$17.4 million

Madam President, hear where we understand the money went to. It went to, hear the name of the company, Sea Management Corporation Services not Sea Transport Corporation, PTY Limited as trustee for the Ballantyne and Dawson Family Trust. I want to repeat this. This is where NIDCO was instructed to wire transfer US \$17.4 million, not to Sea Transport Corporation which is the legitimate company. This company is not on the stock exchange of Australia. This company that I just read here does not pay taxes. This company is not incorporated and is subject to the Securities and Exchange control or commission of Australia. This is private company, and the money went into this company. It came from—we understand the money came from NIDCO, and I challenge the Minister to produce evidence in this Parliament, show this country where the money was transferred to. [*Desk thumping*]

This is the evidence that we have before us, that they transferred the money to a private account. How can the Government—Madam President, if NIDCO was doing its homework, should NIDCO not do its due diligence? Should NIDCO not be aware that the people who sold us the boat was Sea Transport Corporation? And if NIDCO is aware that Sea Transport Corporation sold us that boat, why did NIDCO wire transfer US \$17.4 million to a company called, as I said, Sea Management Corporation Services, PTY Limited as trustee for the Ballantyne and

Dawson Family Trust?

This matter smells to the heavens. And, Madam President, taxpayers moneys are involved here. We have done an estimation and we have concluded that that boat that we bought for this \$17.4 million should not have cost the taxpayers more than US \$6 million. [*Desk thumping*] We want proper accountability from the Government of Trinidad and Tobago on this matter. We want proper accountability.

Madam President, and then why it is the Government is not levelling with us? You remember, Madam President, just recently we asked the Minister about the *Galleons Passage*, and he gave us some story about an embargo against Cuba and Australia could not ship “thing”. My colleague who will speak later will demolish that argument to show how we were misled in this Parliament.

Madam President: Sen. Mark, you need to—you cannot say it like that.

Sen. W. Mark: Okay. Okay. Okay. My colleague will address that particular point when he speaks. So when the hon. Minister came some time ago and I asked about the *Galleons Passage*, the Minister stood up in this House and he said, this boat shall be returning to Trinidad and Tobago immediately. Immediately one got the impression that the boat had already left the Damex shipyard, Santiago Cuba, heading towards—and then just two hours later—two days later— his colleague the hon. Minister of Works and Transport said in 10 days’ time through NIDCO. NIDCO put out a report, a statement, saying that the vessel will arrive here by mid-July. And then only yesterday in another place we are told that it will arrive on the 16th of July. So who is telling the truth? And is there truly an embargo against this company that is dealing with ship repairs in Cuba? Or did the Minister take us for a ride when he told us, on the *Galleons Passage*, and when he told us that—you

know what?—an embargo and therefore—what?—you cannot repair the boat, you have to bring it here.

Madam President, there several questions that the Minister has to answer. I want to tell you what the Minister also said at his press conference. The Minister indicated to this honourable House, he said “Over...” and I quote:

Over the month of December the committee felt that we should not rely on any inspection reports or any sea trials that had been done previously for the previous purchaser or by anybody associated with the vessel previously. We felt that we should be very, very careful about this. So Lloyd’s Register of Hong Kong was commissioned to do an inspection of the vessel.

We want that report.

We also—the Minister went on to say:

We also commissioned an expert marine consultant out of Australia, a company named Schulte Marine to be a second independent pair of eyes for the Government of Trinidad and Tobago.

And the Minister did not stop there. He said:

We took a third precaution of engaging marine experts out of UTT maritime campus to go to China.

So, Madam President, whilst the Minister is contemplating providing us with those reports within 14 days, may I ask him to add the following? Could the Minister table in this Parliament as well the Lloyd’s Register of Hong Kong report—inspection report? Could the hon. Minister also table the Schulte Marine inspection report? That is a company out of Australia. And could the hon. Minister table in this Parliament the report of the experts from the University of Trinidad and Tobago?

Madam President, we need to get to the bottom of this matter. The hon. Minister indicated that he did not stop there. The Minister in his press conference indicated that Dun & Bradstreet had been engaged to conduct a financial and forensic on the following: the shipyard owner, the builder of the vessel, and the owner of that particular vessel. We have not seen sight of those reports to date.

We ask the Minister, we call on the Minister to provide us with those reports.

2.30 p.m.

Madam President, the Minister is on record as denying the United States Department of Homeland Security and the United States Coast Guard having defined certain deficiencies on that particular vessel. Well, we have a report in which the United States Homeland Security Department—

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

Sen. W. Mark: Thank you—and the United States Coast Guard, prepared what is called an Activity Summary Report, and in that report they outlined a number of deficiencies in the engineering and firefighting areas of this vessel. But the Minister is on record as saying that report does not exist and there were no deficiencies. I want to ask the Minister if he is prepared to apologize to the people of Trinidad and Tobago? [*Desk thumping*]

Madam President, it does not stop here. When you feel that we were just dealing with Trinidad and Tobago as it relates to ships and the purchase of ships, the Government also went to the United States without your knowledge, and without my knowledge, and the Government of this country contracted a particular company that was in a state of bankruptcy to purchase ferries amounting to US \$120 million. The Government approached a company called Sea Streak

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American Incorporated.

Hon. Senator: What it is?

Madam President: Sen. Mark.

Sen. W. Mark: Yes.

Madam President: I really am very sorry to interrupt you, but what you are saying now, how is that relevant to the Motion that you are presenting?

Sen. W. Mark: Okay, I am guided. Madam President, I would like to recommend and demand on behalf of the citizenry of this country that the Government come clean on this one. We intend—if the Government does not cooperate with this Parliament and the people of this country—to write to the Australian Government; we intend to write to the Australian security and exchange commission; and there is a unit that deals with following the money in Australia, we intend to write them if this Government does not table and make available all the reports on this transaction. Because, Madam President, we believe that the people of this country have been fleeced. We believe that the people did not get value for money. So, like the *MV Su* that never sailed, we believe that the *Galleons Passage* will have a similar fate very shortly. [*Desk thumping*]

Madam President, I want to tell you that I have not gone into several areas of irregularities and improprieties involving this entire transaction. But, you know what, we will give the Minister an opportunity to speak today. We will let him put on record what he has to say, and then we will take it a step further.

Madam President, when I growing up, my grandmother once told me. She said, son, whenever you want to catch “ah skirrel”, you beat a pan, and when you beat a pan, the “skirrel” will get what is called “malkadi”.

Hon. Senator: What is that, “skirrel?” [*Crosstalk*]

Sen. W. Mark: “A skirrel. A skirrel. Skirrel, skirrel, skirrel, skirrel.” [*Laughter*]

He said—[*Crosstalk*] Madam President [*Laughter*—and there they are having fun, because when that particular “skirrel” gets “malkadi”, it falls straight into the pan, and we believe that the Government is going to be experiencing very shortly a bout of “malkadi”. [*Desk thumping*] That is what we expect to happen to this Government.

So, Madam President, in closing, I call on the Government to come clean. I call on the Government to provide all the evidence, information, documentation and records surrounding this matter. We call on the Government to provide to the people of this country all the reports that we have outlined in our Private Motion and more, because we believe that the Government has a lot more information that we need. And, Madam President, in those circumstances, with your leave, I beg to move.

Madam President: The Motion requires a seconder.

Sen. Ameen: Thank you, Madam President. I stand to second the Motion moved by Sen. Mark, and I want to reserve my time to speak.

Madam President: The Motion has been seconded by Sen. Ameen.

Question proposed.

The Minister of Finance (Hon. Colm Imbert): [*Desk thumping*] [*Crosstalk*] Thank you, Madam President. I really do not understand the noises emanating from the Opposition Bench when the Motion is directed to me. I believe, Madam President, I read the words, “Minister of Finance” in the preamble to the Motion. So, I do not understand the groans coming from the other side, when as Minister of Finance I get up to respond. It must be the “skirrel”. [*Laughter*]

Madam President, I have noticed a trend by the official Opposition in the

last month or so, maybe it was before, but I particularly noticed it in the last month, where they are so desperate, that they make up their own fake news. And I witnessed this in the other place last week, and it bears repeating, that the hon. Prime Minister had gone to Grenada to attend the opening of a new Parliament building, because their previous building had been devastated by hurricane, and through a number of donations from a number of countries around the world and their own resources, they were able to build a brand new Parliament building. So, a number of Caribbean Prime Ministers were invited and did attend, and our Prime Minister attended to show solidarity and support with the Grenadian people.

So, I was acting as Prime Minister just for that day and the following day. And, Madam President, as it turned out, that particular day was Prime Minister's Questions day, so that I received the list of questions just before the beginning of the sitting in the other place. Question 1: Why has the Government sold TGU to Ferrostaal? Question 2: How much we sell it for? Question 3: What procurement process we used to sell it? Something like that. So, knowing fully well that in the 2018 budget address, and in the mid-year review that I had made it clear, speaking on behalf of the Government, that as part of the asset base for the National Investment Fund, we intended to place the shareholding of TGU into the National Investment Fund Company to monetize the assets of NIF, I said to myself, but these are mad people because we have not sold TGU. So, what is all this nonsense all about? And then I heard that at the Monday Night Forum that their leader had spent 10 minutes—[Coughs]—fulminating about this corrupt and unlawful sale of TGU to Ferrostaal.

So, when we came to the Parliament to answer the question, I had to point out that we have not sold it, could not sell it, had no intention of selling it. This

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was all a figment of their imagination, and therefore, questions 2 and 3, they had to withdraw them, because, if we “eh” sell it, there is no price and there is no method. But, that is what I mean by making up their own fake news and believing it. And this is another example. [*Coughs*] The hon. Senator is making up his own fake news and believing it.

When it was announced—[*Coughs*—that we were acquiring this vessel—excuse me, I have a bit of a cough—I made it crystal clear, and it is on record, that with the vessel we received an in-house valuation prepared for the previous owner or intended owner of the vessel. This is that valuation, prepared by a company called Oceanic Design & Survey, and prepared for a company called Sealease ship leasing. I made it crystal clear at that press conference six months ago, that Sen. Mark referred to, that because this was not something that we could rely upon, we did not rely upon this valuation by Oceanic Design & Survey.

I spoke in English, Madam President. My words were clear. I said, because this came with the vessel we could not use it to determine whether we received value for money. [*Desk thumping*] Six months later I have to hear a Motion before this Senate that we used this to purchase the vessel, and therefore all kind of old talk about—what is it?—a forensic criminal probe, and all kind of stupidity. That is what I have to hear, Madam President?

Sen. Mark: “Doh” get vex, man.

Hon. C. Imbert: I must get vex. It is foolishness.

Madam President: Minister!

Hon. C. Imbert: So, what we did, Madam President—

Madam President: Minister! Members, please. Minister, may I just caution you on your language as we move forward. Okay? [*Desk thumping*]

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Hon. C. Imbert: Madam President, the level of the fake news is just ridiculous. Just the other night I was watching BBC and there was some fake news in India, for those of you who follow world news. There was fake news. There was a video that was run on social media in India showing an alleged kidnapping of a child, and somebody was named as the alleged kidnapper, and was killed in India.

Hon. Senator: Beaten to death.

Hon. C. Imbert: Beaten to death. This is now a big thing, you know, and it turned out that that video was an anti-kidnapping training video done in Pakistan. It “eh” fake, and they killed a man over that fake video. This is where this Opposition is carrying us with the fake news, Madam President.

Sen. Mark: Madam President, could you ask him to apologize and withdraw?

Madam President: Minister, I will—[*Crosstalk*—]Minister, I will caution you, please! As you present your response, I will caution you on your language. Okay?

Hon. C. Imbert: I will be duly cautioned, Madam President. Whenever you believe that I have crossed the line, just let me know.

But, Madam President, we made it crystal clear that we were not utilizing this valuation. And you know what is so jokey about this whole thing? When you read the valuation, the people make a declaration in the valuation that they are an affiliated company of Sea Transport. They say so in the valuation. This is why we did not use it, and this is why we went to a company called Schulte Marine, which is a highly reputable firm of marine consultants and marine surveyors, Madam President, and this is why we commissioned Schulte Marine to do two things:

First, to do a pre-purchase inspection report, which I have in my possession, over the period the 4th to the 6th of December, 2017, on the vessel. And in this inspection report, these are the key dates which is why I have to talk about fake

news. It says these are the following key events with respect to this vessel: steel cutting, 4th of March, 2015; key laying, April 21, 2015; launching, 16 September, 2016. You know what launching means? You put the hull in the water. But after you put the hull in the water, anybody who has an iota of knowledge about shipbuilding will know after you put the hull in the water, you have to put in the engine, you have to put on the deck, you have to outfit the vessel, you have to put in instrumentation, you have to put in the electrics, you have to put in the transmission, you have to put the mast, you have to put the super structure. That is after you launch a vessel. If anybody knew one iota about shipbuilding. So you know what happened next? First sea trial, 30th of November, 2016; final sea trial, 30th of October, 2017. And this was inspected for the Government of Trinidad and Tobago on the 4th of December, five days after the final sea trial. Five days later. [*Desk thumping*]

You think you would build a boat just so? “Yuh go in the hardware store and yuh say ah want ah boat, and they say, no problem, we will gih yuh dat next week.” You think that is how you build a boat? This is what we have to deal with. And while I am at it, Madam President, I heard some madness in the final words, about how the Government has hired, who? Sea streak? To go and pay \$100 million for boats? That is a work of fiction. It is craziness. Madam Speaker, I am so disappointed that I have to come into this Parliament and hear—

Hon. Senator: Madam President.

Hon. C. Imbert: Madam President—that I have to come into this Parliament and hear this level of foolishness, Madam President, that these allegations, they just throw them out. The Government has—this Government, there is no evidence. I have made it crystal clear that when we went out utilizing our expertise and

knowledge with respect to manufacturers of vessels, and persons who deal in the sale of vessels, that the owner of this vessel contacted us directly. I have said that more than once. The owner of the vessel contacted the Government of Trinidad and Tobago directly, and offered the vessel for sale, and based on that offer coming directly from the owner, it is why we commissioned the experts from UTT, Captain Sukhjit Singh and Mr. Isikeli Waqa, two experts, one is a master mariner, the other is a master ship engineer. We commissioned two UTT experts to go to China to inspect this vessel and we got another inspection report from them. We commissioned them to be present during the final sea trials of the vessel which took place at the end of November 2017.

We did all of that, Madam President. We did all of that, but what is more important to this Motion, is that we commissioned a valuation from Schulte Marine. And I think it is necessary to put on the record exactly who Schulte Marine is. This is no fly-by-night company. This is no Mickey Mouse company. Schulte Marine is the consulting arm of a company called Bernhard Schulte Ship Management. Bernhard Schulte Ship Management is an integrated maritime solutions leader with more than 130 years' experience in the shipping industry. It manages a fleet of over 600 vessels, has 20,000 employees globally. So, a network of nine ship management, 23 cruise service, and five wholly-owned maritime training centres across the world. That is Schulte Marine Concept. It is a member of the Bernhard Schulte Ship Management group. In particular, Madam President, the Schulte Marine Concept group has done consultancy work on 446 vessels. Four hundred and forty-six. So, I think that squirrel, "skirrel", squirrel—

Hon. Senator: "Skirrel. Skirrel."

Hon. C. Imbert: I think that squirrel is qualified. And we received an evaluation

report from Schulte Marine in December 2017, and this is what they had to say when they evaluated the vessel. They say the design is from Sea Transport, and that is where Sen. Mark is completely confused. Sea Transport is the designer of the vessel. They are marine architects. They designed the vessel. They are not the owners.

Sen. Mark: Who is the owner?

Hon. C. Imbert: You will find out. So, the design is from Sea Transport Solutions, specialists in naval architecture and shipbuilding marine consultant and survey. The builders are the Nansha Shipyard of Guangzhou, part of the Guangzhou navigation group. The shipyard has been building ships for the past 20-plus years. The yard has worked closely with the design house, Sea Transport, for several projects—[*Coughs*] excuse me—with the Sea Transport design.

It goes on to say, vessel is completed. Review of the vessel shows it to be of a modern design, and they refer to the technical specifications. They talk about the engines, the outfitting, the communications equipment, the electrical, et cetera, and then they go on to give us the value. And this is what Schulte Marine had to say about the value:

Valuations for a new vessel of this type can vary with several factors from the hull form, hull materials, length and breadth, with carrying capacities. The vessels are usually made as one-off, putting selectiveness to smaller yards with smaller order books, but specialist skills, expertise and experience. Value of the machinery suppliers and outfitting to the standards of the material being used for the area to which the vessel will be employed should be a consideration. The building yard is a small selective yard given the expertise to this type of vessel. The makers, machinery and outfitting are

of a reasonable international standard with worldwide outlets, apart from the electrical fittings. Considering a new built vessel, the estimated cost—and I want to repeat this, the estimated cost—would be in the region of US 38 to \$40 million, with quality European or international standard equipment throughout. Considerations to the above taken into account, we would give an opinion and value this vessel at approximately US dollars, 35 to \$38 million. [*Desk thumping*]

We got this from Schulte Marine. As I pointed out, Schulte Marine has valued or consulted on 446 vessels, and they have valued this vessel at US \$35 million. And, Madam President, that was good enough for us. That was good enough for us. To get a valuation, because what the other company has to say, even though they are an affiliate company, hear what they have to say.

The Oceanic Design was established in 2001 to provide a specialized design survey and consultancy service to the greater marine community. ODS is an associate company—this is Oceanic Design—but with different shareholders to Sea Transport Solutions, which was formed in 1976 as an independent company, to provide marine design and consultancy services to the Australian maritime industry. To date, over 47 countries have built Sea Transport designs or used Sea Transport consulting services.

So, one of the points made by Oceanic Design, which we did not use, was that the Sea Transport which is the design of the *Galleons Passage* has been used by 47 countries in the world. So, we have a design, which has been used by 47 countries. We have independent valuation by one of the top ship valuers in the world that says this vessel is worth US \$35 million. We have numerous inspection reports which tell us this is a brand new vessel, new build, doing its final sea trials

in November 2017. But I have to hear this fiction about how the boat was launched, and was sailing all over the China seas from 2016 to 2017. It is a figment of Sen. Mark's imagination. Fake news. Everything he has said here today is not true. [*Desk thumping*]

As I indicated, we got the offer directly from the owner and since the owner was corresponding directly with the Government, there was no broker. This is the second time I have heard this bogus story about some bogus broker called IM-something, with somebody called Aitkenhead. It is a fiction. It is a total untruth. Because I challenge Sen. Mark, produce the paper trail to show where that fictional broker was in any way involved with the acquisition of this vessel. Produce it! Produce it! Because whatever you produce will be fake, like that fake court order with respect to that mater that came up when he was presiding officer at another time, when he said there was a court order when there was no such thing. Any document that gentleman produces today will be fake.

Madam President: Minister! Minister, please! You can make your contribution, your response. It is Sen. Mark. It is not that gentleman, and let us continue in a manner befitting of this Chamber, please, Minister.

Hon. C. Imbert: Certainly. I just cannot handle the untruths. Fake, bogus, not true. It has never been said that this boat was sold to the Government or to NIDCO by Sea Transport. That has never been said. In fact, I have said completely different in this Parliament in answer to questions posed by Sen. Mark.

I indicated clearly that the seller of the vessel was Sealease Limited. Sealease. That is the seller of the vessel. And when we hired Haynes and Boone, which is one of the most reputable ship legal firm in the United Kingdom, Haynes and Boone is one of the most recognized and reputable firm of attorneys in the

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United Kingdom specializing in the acquisition and the preparation of legal documents for the purchase and sale of vessels. And the person we used had in fact been involved in the preparation of legal documentation for over 20 vessels in China. We did not make joke with this, you know. We went to one of the top firms in the UK. We told them do a tittle search, determine whether there are any liens or encumbrances on this vessel, determine whether there is any charge whatsoever on this vessel, determine who owns it, and prepare a purchase agreement in accordance with international standards between the National Infrastructure Development Company and the person who has the title to the vessel, and they did exactly that.

And we have a purchase agreement between Sealease and the National Infrastructure Development Company. And that is the person who was paid. Sealease Limited was paid the \$17 million for this vessel. They are the owners. This is what Haynes and Boone determined for us. They have the title to the vessel. There were no liens and encumbrances on the vessel, straightforward commercial transaction between buyer and seller.

So, I do not know what all this “tra la la” is about, about Sea Transport and all these company names he read out. “Ah doh know what he do dat for.” Because the owner of the vessel—and I have said it in this Senate before, was Sealease and NIDCO purchased the vessel from Sealease.

Sen. Mark: Who are the shareholders of Sealease?

Hon. C. Imbert: Madam President—

Sen. Mark: Who are the shareholders?

Madam President: Sen. Mark.

Sen. Mark: Sorry.

Hon. C. Imbert: Madam President, I said the owner of the vessel contacted us. I have named the person who is the primary mover and shaker and figure with respect to the owner of the vessel on numerous occasions in this Senate. The only reason Sen. Mark knows the name of the person who is the shareholder, and the person who is the primary mover in these companies, is because I have named the person in this House. The name of the person is Stuart Ballantyne. I have said so.

So, Stuart Ballantyne is the primary officer of Sealease, and it is Sealease that sold the vessel to NIDCO. I have said that. There is no mystery in all of this. So, why these questions about, “Who geh de money, and where you wire de money to”, and was it Sea Transport? Nonsense! And let me tell you something else, Madam President, that I find so nonsensical. It is this recurring decimal about a broker. Who is this broker? And “Ah prove that you use ah broker. And ah bringing evidence that you use ah broker”, and this is the name of the broker. Where is the evidence, Madam President? I call upon Sen. Mark, back up your false allegations. Back them up. Back them up. [*Desk thumping*]

Sen. Mark: The Prime Minister said so. That Prime Minister said so.

Hon. C. Imbert: That is your evidence? I see. That is completely untrue.

Sen. Mark: Well, the Prime Minister—

Hon. C. Imbert: That is completely untrue, Madam President. Completely untrue.

3.00 p.m.

I call upon Sen. Mark, produce evidence of your false allegation that some person called Aitkenhead from some brokerage, IM something, was involved in this transaction because you cannot, you cannot. It is fake, like that fake court order. It is totally fake. So, this is a straight transaction, Madam President—

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Sen. Mark: “I ketch yuh boy, I ketch yuh.”

Hon. C. Imbert:—a straight transaction.

Sen. Mark: I ketch him early. “Malkadi.”

Sen. Sinanan: Forget the squirrel talk, just go ahead.

Hon. C. Imbert: Now, Madam Speaker, let me also put onto the record the report from Lloyd’s of Hong Kong, because we were very, very careful with respect to this acquisition. We did not simply want to rely upon the report from the University of Trinidad and Tobago experts, the report from Schulte Marine or any in-house report from the shipyard or the seller. We decided to also go with Lloyd’s of Hong Kong. And I have here a copy of the pre-purchase condition survey done by Lloyd’s Register on the vessel and this pre-purchase condition survey, Madam President, was done, the final inspection was done on the 5th of December, 2017, and the certificate was issued for the Government of Trinidad and Tobago on the 10th of December, 2017. And I read as follows:

This certificate issued to certify that the undersigned surveyors did at their request and with the consent of the owner’s representative attend the vessel while the vessel was afloat at Guangdong Bonny Fair Heavy Industry Limited at Guangzhou for the purpose of reporting on the condition of the hull, holds, deck, machinery, accommodation, lifesaving, firefighting and navigation equipment.

In as far as the vessel has seen and examined, it is in my opinion that the vessel is in good condition subject to the comments given in section 3.

S/ Surveyor to Lloyd’s Register Classification Society

China Company Limited

10th of December 2017.

So, not only did we get two experts from UTT to inspect the vessels to determine whether it was in good condition and whether it was new or not. I mean, you could see the thing new, the seats are still in plastic, you know. The seats on the vessel are still in plastic, Madam President, but according to Sen. Mark it sailing all over the China sea. So we got Lloyd's of London to determine the vessel was up to standards and that it was a new build; we got the University of Trinidad and Tobago to establish that, we got Schulte Marine to establish that and we got other independent persons to establish that and NIDCO had its own team as well in China to visit the vessel prior to the acquisition by the Government.

All of these stories, I just do not know, Madam President, where hon. Sen. Mark gets this wild imagination from. All of these stories, no evidence whatsoever and you know they also like to create fake news, because I saw an email trail that is posted on a UNC website of some fella called Roger Fields or something, who is a UNC activist in central Trinidad, who emailed somebody in the shipyard in China in January 2018, not 2015, in January of 2018 because we have intelligence as well.

So I saw the email trail and I saw this Roger Fields emailing somebody in the shipyard asking, how much for a vessel like this? And then I saw a doctored response coming from the shipyard, because we have communicated with the shipyard and we have established that what is posted on the UNC website is fake. It is a fake email, because they got a response saying that—[*Crosstalk*] we got a response from the shipyard, Madam President, saying that the price of a vessel like this is dependent on the owner specifications and the owner requirement. They deleted that from the email, they take that out. And they also got a statement from the shipyard saying, this is the base cost without outfitting; and this is the cost

without design; and this is the cost without surveys; and this is the cost without classification; and this is the cost without financing during construction. Madam President, they take out all of that. And then populating an email and circulating it and saying, the cost of this vessel was \$15million. A total lie. And that is what we on this side have to deal with, circulation of fabricated fake news.

Madam President, this Motion has no merit. I reject it in its entirety, [*Desk thumping*] it is bogus, It is based on untruths. There is not a shred of evidence to support any insinuation or allegation made by Sen. Mark. This Motion is nonsense and should not be wasting the time of hon. Senators in this Chamber today, Madam President. [*Desk thumping*]

Sen. Dr. Dhanayshar Mahabir: Thank you very much, Madam President. [*Crosstalk*] Madam President, I would like immediately to focus on the first line of the Motion:

“*Whereas* the Government has acquired the *Galleons Passage*, a new inter-island passenger ferry in a procurement arrangement that did not include the Central Tenders Board;”—and to pause here for a bit.

Because when I read this very first statement, I asked myself, Madam President, where is the Procurement Regulator in all of this? And the Parliament staff kindly did some background research and I now know that the procurement legislation is only partially proclaimed. We are awaiting the full proclamation consequent upon the Office of the Procurement Regulator becoming fully functional.

But, Madam President, if there is indeed a functioning Office of the Procurement Regulator then I think many of the issues ventilated here today would be adequately covered by this office. And so I call upon the Government and the Government in waiting to do that which is necessary, to ensure that procurement

legislation is operational and that what exists as news, speculation or fake news can in fact be under scrutiny so that the public can know what is fact from fiction on the issue of procurement. And on this point, Madam President, I looked at the Central Tenders Board, since the Motion did mention a Central Tenders Board Act and I note 20A(1)(c) of the Central Tenders Board Act indicating that the Government is able on its own to bypass the Central Tenders Board if it is using for its tendering purposes the agency that is wholly owned by the State, of which I think NIDCO is one of them.

So, on that ground the Government is complying with the law. It is not really in violation of the law. But we do want to see the Office of the Procurement Regulator fully functional. The reason, Madam President, and I shall come to my concerns with the matter at hand. The reason is that we have had instances internationally. You see, we need to ensure that the public has confidence in how the State conducts its business with respect to the procurement of large items. The one at hand is a sea vessel, but when you look at internationally and see what is happening, simply google the Kerala Hydroelectric Dam and you will see a company that is one of the finest in the world in construction projects, but it seems to have as part of its DNA this need to bribe public officials to get contracts.

I shall not mention the name of that company since I know some of the people who work there. And I know they are fantastic engineers. But that particular company has had problems and they are looking, I think, to correct that in Trinidad and Tobago, to ensure that there is confidence amongst the general public that all is above board. We have seen some issues arising with respect to police vehicles and unmarked police vehicles that appeared in the public domain not so long ago. And not so long ago too, Madam President, with respect to

military assets, it was revealed to me and colleague Senators that there was an issue of a military helicopter by one Government that was not taken up by the Trinidad Government, it was built—was not taken up. When I checked our PSIP I did not see anything with respect to that military helicopter and so I know that there can be some procurement in a grey area with respect to the military.

We need transparency and in that context I think Sen. Mark has brought to the front the issue that there are some questions, questions because the history we have had with respect to these sea going vessels has not been a particularly illustrious one. The *MV Tobago* in 1976, a boat that was always experiencing some technical difficulties. It was alleged then—that was such a long time ago, that it was purchased for election purposes to ensure that the people of Tobago were happy, and on that point, Madam President, the sea bridge is critical. We do need to ensure that the errors of the past are not repeated.

The relationship between Trinidad and Tobago is one that is sacrosanct and scared and we want to ensure that this critical facility is always beyond the reproach and hence I focus on public confidence in the procurement matter. We have had the issue of the *MV Su* which never sailed. It cost some \$25 million. It was, I understand, sold for scrap. We have had the issue of the L-1011s in which they were commissions of \$1 million each. So our history, Madam President, is one where in the absence of a procurement regulator we have seen matters arising which can raise the eyebrows of the public and it can cause confidence to somehow be stymied.

With respect to the current situation, what the information in the public domain suggests is that there was a vessel, Sen. Mark alluded to the *Doña Mercedes* built for a Venezuelan company, the Gran Cacique company. This is all

in the public domain. For one reason or the other given, I would imagine the conditions in Venezuela, this company was not able to meet the final purchase price or the terms of its contract and therefore the vessel was available for sale.

The questions that I would like to pose to the Government is this. This was a vessel that was purchased on an as is, where is condition. It was a vessel that was designed for another seller and its particular needs and it was then available because the seller could not meet its contractual obligations. When one is purchasing such a vessel on an as is, where is basis, instinctively one knows that you should obtain such an item since it was not designed for you and the seller would like to obtain some compensation for his expenditure, you should obtain this at some kind of a discount.

And so the question I would like to ask is: Were two valuation reports adequate? Particularly, if one valuation gave a figure of 35 million and another gave a figure of some 17 million, the spread was so large, I would have thought that we would look and see why in fact one was so much higher than the other and maybe seek a third independent valuation report. I am looking at the process of valuation. You really would like the valuation to be independent and if there is such a huge spread, my concern is, I would have thought that the officials immediately would have said this seems to be too wide. Let us see if we can find a third valuator somewhere not connected to the process to determine and, of course, valuers do charge a fee, all of us who have purchased properties know that we have to pay a valuation fee. We need to pay the valuation fee, but really to get to the best of our ability what is the true worth of this vessel that is being sold to us on an as is, where is basis.

Now, when we are buying a vessel that is not specifically designed for a

particular need, but designed for the needs of a Venezuelan company, my own research indicated that this company intended for the vessel to be used as charter, luxury or passenger from Margarita to some other point. So it was meant for a particular type journey, may not be relevant crafted for Trinidad and Tobago run, but usable and therefore works had to be done. The issue for me is, we are buying it as is, where is. These works which needed to be done, Madam President, are now being done outside the shipyard. Why, when we purchased the vessel did we not ask for all of these works to be completed, these remedial works, these works which are meant to make the vessel relevant for our needs. Why were these works not done in the shipyard where it seems that most of the works were done? Or is it the practice, it is not clear to me that they build vessels and then send them off to a place like Cuba for finishing, I do not know. I would imagine given my own investigation of the shipbuilding industry that the shipyard would, as far as practical, do the work on its own shipyard so that it will be able to deliver a finished vessel to the ultimate buyer at the time when it was so contracted.

So, I do not know why the works were not done there so that the delivery time, Madam President, could have been shortened. The reason is, I understand the needs for the vessel. I understand the need to expedite the process, but if we contracted in January and six months later it is not here, something was amiss with respect to getting these remedial works done. And I am sure the Government would have a good reason for why these additional works were not done at the shipyard itself because the understanding is that the vessel, not particularly designed for the *Galleons Passage*, although it is so named, needed canopies and coverings. It was designed for somewhere else. I would have thought if I am in the Government that, look, people I am buying this vessel not particularly designed

for my purpose; make sure it is fitted for the uses to which I would like to have it and then you can have the thing sail for us.

But, Madam President, there is a concern that is arising that I did not hear raised by Sen. Mark and that is, we are purchasing a vessel outright for some \$17 million. When we do that, there is an old saying that the candle can frequently exceed the cost of the funeral. What is the service contract like? Is this vessel expected to last 20 years, or 25? If it is, since it is an asset of durability, then it means that two things need to arise. In the public interest I would like to know what is the value of the service contract on an annual basis? Because clearly the builder of the—this is common standard practice in aircraft, in heavy machinery, the vendor, because he has the technical expertise, always contracts with the buyer to service the equipment for a period of time.

What is the annual service contract? This is critical. Is it 3 million, 5 million, 10 million? I do not know, I am sure the Minister of Works and Transport will have that information so we would know ultimately what the cost is going to be. Because, Madam President, there is a practice, certainly in the technology field where the printers you buy to run your computers can be sold for just a couple hundred dollars, but the companies will earn the money by selling the printer cartridges for maybe half the price of the printer. So if you are going to buy cartridges for the next five years, you would understand that the company has an incentive maybe to even give you the hardware for free so that they can make the money on the cartridges and elsewhere.

So the service contract I think is very important. Also, it is important for us looking now at ensuring for the future that the fiascos we have seen on the sea bridge can be eliminated. Minimized, Madam President, is not good enough. We

need to eliminate. Since we have been in this business for half a century, we would like to know whether there is any contract to transfer technology so that our personnel can operate the equipment, operate the vessel and conduct routine maintenance.

Madam President, we have purchased a vessel. It was not designed for our use. I am convinced that this is a vessel that was not used from the research that I have done. It is simply that the owner, the initial contractor was unable to pay for this item, but, Madam President, the question that I have is this, we are trying to get the sea bridge right. We have seen untold inconvenience to the people of Tobago and Trinidad and Tobago since the last one left. I think it was called the *Superfast Galicia*. We have seen some problems. And so I ask myself a legitimate question: Why did we not look at companies such as the one that built this vessel to design a vessel specifically for us to service the Trinidad and Tobago run and also the Toco to Scarborough run. So this vessel would be designed for this purpose and it would be outfitted, it would be new and it would cater to our needs. I would have liked to know a few things with this arrangement.

One, how long would it take, because, Madam President, the vessel is complete and it is not here. Six months ago we were told it would be here.

Madam President: Sen. Dr. Mahabir, I am a little reluctant to intervene, but I want you—the Motion that is before us relates to certain documentation in the whole process and you are straying a little bit. I understand what you want to put forward but I am just cautioning you as you proceed.

Sen. Dr. D. Mahabir: Yes, thank you very much. Madam President, this last point will then be tied in with the position on the “*Be it resolved*”. On this last point, Madam President, it is important, it is in the public interest, I raise it because

it is in the public interest. Why did the Government not choose to go the route of the new vessel? And is it the length of time? Because my research is that it would take a year and a half, lead time. And I understand it takes time, the hon. Minister of Finance indicated that you just do not go and buy something like that. You take the time—is it that we thought that it was going to be too long and we had one that was ready?

So, Madam President, given the fact that we thought we were getting a vessel that was going to be immediately available and it is no longer here, I want to refer to the proposal of Sen. Mark, that:

“Be it resolved that this Senate call on the Minister Finance to table, within fourteen days, copies of the valuation reports, the Memorandum of Agreement between NIDCO and the vendor of the vessel and the Dun & Bradstreet Report on the Galleons Passage.”

I am of the view that all of these documents, in particular the Dun & Bradstreet Report, I am particularly interested in looking at this particular report and I do not know whether it should be tabled in the Senate—if this is the appropriate place, we are going on the break—or whether, Madam President, it should be in the public domain. Because given the need for public confidence in procurement, that the Procurement Regulator is not yet in operation and that there are question marks, let us look at this issue of what is fake and what is fact and let us try to restore public confidence. I think it is important for the public to know what information was in the possession of the Government and whether the delay that we are seeing was expected or unexpected and I think laying these reports in the public domain is in the public interest.

I would not necessarily support Sen. Mark that it be laid in the Senate within

14 days, but I would recommend that all of these reports be laid for public scrutiny so that in the absence of the Procurement Regulator, people can see what was available for the Government, be satisfied that there was no malfeasance or wrongdoing. And at the same time I think it would be incumbent to avoid this situation for there to be a commitment once again, Madam President, for there to be the repeal of the Central Tenders Board Act and to ensure that we finally get the Office of the Procurement Regulator right. I thank you.

Sen. Saddam Hosein: [*Desk thumping*] Thank you very much, Madam President, for allowing me to join this debate on the Motion brought by Sen. Wade Mark. And, Madam President, I would just like to congratulate Sen. Wade Mark for the courage in bringing this Motion to this Senate [*Desk thumping*] and for the manner in which he has moved this Motion. And all we heard from on the other side was just fake news. I probably sat here and I heard the words fake news about 100 times, Madam President.

Sen. Gopee-Scoon: You are going to hear it again.

Sen. S. Hosein: And they are on the defensive. The Government is on the defensive, they are desperate so they are grasping at straws. [*Desk thumping*] And, Madam President, the Minister of Finance started this debate about TGU, talking about fake news with TGU, and he had an opportunity to do so. But he would not tell this Senate that when the PNM had a public meeting in Barataria and the Minister of Finance mounted that platform and told the nation that pensioners will be exempted from property tax, that is fake news, Madam President. That is fake news. [*Desk thumping*] That is a lie. Because we sat here clause by clause and we saw that there is no exemption for any pensioners with respect to property tax, but let me go to the Motion, Madam President.

Sen. Obika: Tell them, tell them.

Sen. S. Hosein: The only emails, because the Minister of Finance spoke about the emails by one Roger Fields. I do not know who is Roger Fields. But the only fake emails that ever came to this Parliament was in the last administration. When this Government was in Opposition, they brought fake emails to this House to discredit the Prime Minister and senior Members of Government. [*Desk thumping*] None of those allegations in those emails are true, Madam President. Not a single one, not a single one.

Madam President, I will address you because Sen. Dookie seems to be very excited for me to get to the Motion and I do not know if he should be excited. Because, Madam President, we should understand how we reached to this position, because when Tobago stakeholders and other stakeholders were clamoring this Government to keep and renew the contract with the *Superfast Galicia*—

Madam President: Sen. Hosein, I am trying to give all speakers, all Senators some leeway, but I also have to caution you, look at the Motion and the core issues that are within this Motion please, okay.

Sen. S. Hosein: Madam President, if you would just allow me to just rebut one more point by—it is on the Motion that the Minister of Finance would have raised with respect to the broker. Madam President, if you would allow me to quote from *Hansard*, this is dated the 9th of March, 2018, Prime Minister's Questions and Dr. Rowley was asked, Dr. The Hon. Keith Rowley, Prime Minister, he was asked by MP Charles, Member of Parliament for Naparima:

“Mr. Charles: Thank you. Mr. Prime Minister, why in purchasing the vessel were these improvements not part of the purchase specs?

Hon. Dr. K. Rowley: Madam Speaker, for the benefit of the listening

public in Trinidad and Tobago, I just said we bought a vessel as is, where is. And you may recall, Madam Speaker, we did not go out to buy a vessel with any spec, we were out there looking for a vessel for lease, and the broker..."

Sen. Obika: "Ohhh." [*Desk thumping*]

Sen. S. Hosein: Madam President:

"...and the broker brought to our attention that a better arrangement might be available because this vessel was available for sale."

Madam President, fake news again. Fake news. [*Desk thumping*] The Prime Minister of this country, he said it you know, the listening public in Trinidad and Tobago, it is on *Hansard* that a broker was used for the purchase of this vessel. And then we come here today, the Minister of Finance tells us that no broker was used.

Sen. Sinanan: He never said so.

Sen. Ameen: That is on the *Hansard*.

Sen. Obika: It is on *Hansard*. Is *Hansard* he is quoting from.

Sen. S. Hosein: Madam President, that is fake news. This is *Hansard*, this is *Hansard*.

Sen. Obika: "Dey frighten."

Sen. S. Hosein: But there is—the Motion, the first recital of the Motion deals with the procurement issue. [*Crosstalk*] And, Madam President, I would like to thank the *Trinidad Guardian* because they did a very nice "*Galleons Passage Timeline*" and it was published on Friday, June 22, 2018.

Sen. Obika: Like a movie.

Sen. S. Hosein: It was like a movie. It was a thriller. It was a thriller. And, Madam President, on the 30th of November, 2017, the:

“Government”—announced that they have—“taken matters into”—their—
“own hands as the Port Authority...for a sixth time, failed to procure a cargo
vessel to service the inter-island sea bridge.”

The—“Finance Minister Colm Imbert”—I am quoting, Madam President—
“Tourism Minister Shamfa Cudjoe, Public Utilities Minister”—and Sen. The
Hon.—“Robert Le Hunte and Young have been mandated to procure the
ferry.”

3.30 p.m.

Madam President, the Minister of Finance, then Minister of Tourism, the
Minister of Public Utilities, Minister of Communications now, but where is the
Minister of Works and Transport in this whole thing? So I had to go back now to
the *Gazette*, and this *Gazette* is dated 31 October, 2016, and I saw that ministerial
responsibility was ascribed to Sen. The Hon. Rohan Sinanan and those include:
bridges, civil aviation, coastal erosion, maritime services, ports including airports.
And you are telling me that the Minister of Works and Transport was not included
in this interministerial committee in order to procure a vessel for the sea bridge
between Trinidad and Tobago?

Hon. Senator: “Da is Imbert boat. Imbert is de boatman.”

Sen. S. Hosein: So therefore, I do not know how much blame we could give the
Minister of Works and Transport, because even when we come into this Senate and
in the other place, Madam President, they do not even allow the Minister to answer
those questions with regard to the *Galleons Passage*.

Sen. Ameen: They hijack your portfolio.

Sen. S. Hosein: But then the Minister of Finance, on January 18th, announced that
rigorous checks were done to ensure that the US \$17.4 million catamaran, called

the *Galleons Passage*, met all the requirements to operate on the sea bridge. So after the ministerial committee deliberated, they said that they had about 10 different vessels they looked at and they chose the *Galleons Passage*. And then on the 20th of January, the Minister of Finance announced that the Government was taking delivery of the new ferry in China on or around 9th of February, and the estimated arrival date in Trinidad was April. Well, April has long gone and passed, and no *Galleons Passage*.

But, Madam President, the issue here is whether this was the proper procurement practice employed by this Government. And Sen. Mahabir would have referred to the Central Tenders Board Act, and I would also like to do the same, Chap. 71:91. And section 20 speaks of the normal modes in which you would tender for certain services or other materials, but section 20A deals with where the Government may act on its own behalf with regard to procurement. And I want to disagree with Sen. Mahabir that the Government is allowed to do so, but they are only allowed to do so under certain conditions as prescribed. One, where there is:

“...an agreement for technical or other co-operation between it and the Government of a foreign State;”

—Not applicable here.

“the articles or works or any services in connection therewith are to be supplied or undertaken by a company which is wholly owned or controlled by a foreign State;”

—Inapplicable.

“it enters into a contract with the National Insurance Property Development Company Limited or a company which is wholly owned by the State,

for...services in connection therewith;”

—Not applicable. It also speaks about entering into a contract for the purchase of books. Inapplicable.

“as a result of the occurrence or anticipation of flooding, hurricane, landslide, earthquake...natural disasters,”

—Inapplicable.

“items and services listed in the Third Schedule”—which deals with the defence force and protective services. Inapplicable.

So then which power, which law empowered this interministerial committee to procure the *Galleons Passage*? [*Desk thumping*] It seems as though this Government has acted unlawful and illegally with respect to the procurement of this vessel. [*Desk thumping*]

Madam President, the procurement process was hijacked and there must never be any Minister, or especially a group of Ministers so involved in any procurement process in this country. And you know what they did, Madam President? They used NIDCO to rubber-stamp what the interministerial committee did. That is what they did. This flies in the face of good governance, accountability, integrity and transparency. It is unheard of to have, I believe, four Ministers to procure a vessel in Trinidad and Tobago, and it is the height of incompetence that that vessel is not in Trinidad and Tobago as yet. [*Desk thumping*]

And we must also look at the reason why this vessel was procured for Trinidad and Tobago. The Venezuelan Government, together with the Gran Cacique—that Sen. Mark—a private company in Venezuela that would have operated what we would call the *Doña Mercedes*—so that is the former name of

the *Galleons Passage*—and this vessel was intended to carry passengers from Puerto La Cruz to Punta De Pedra. That is in Margarita, and, Madam President, that is approximately 112 metres apart from each other.

And the design of this vessel—the purpose for which this vessel was acquired, when we look at the structure of the vessel, there was a sundeck included. So it means that it was a very tourist-oriented vessel. It is spacious, it is open and it is ideal for sightseeing. But is this the purpose that we require this vessel in Trinidad and Tobago for? Do we want persons out, when they are crossing the Bocas to go across to Tobago, to be in an unsheltered sundeck, looking at what? Madam President, these persons can fall overboard. And the main purpose of ferry travel between Trinidad and Tobago is for cost-effectiveness; it is for commerce. It is not tourist oriented. The sea conditions are not suitable, Madam President. It carries cargo, notwithstanding that we would have our own cargo vessels.

So when I look at the company that designed the *Doña Mercedes*, it is Sea Transport Solutions, and on their website there is a process that has to be followed, and one of the first things that they do is a marine feasibility and survey study, and that would look at the commercial—whether it is for commercial, whether it is for pleasure, military use. So that they would design a vessel for efficient, functional and for the highest quality of service. And they would also design the vessel so that the dimensions, the capacity, the speed, the power, the cargo-handling and the investment and operation cost—but none of those things were done in Trinidad and Tobago. This was done for Venezuela. The boat is used for a different purpose there than here.

So in order for us to have a suitable vessel in order to service the Trinidad

and Tobago sea bridge, we should have commissioned our own marine feasibility and survey study, so that that company, if the Government so desires for that company to have purchased a brand-new vessel with regard to specs, that will be more applicable and suitable for our situation. But it also had me looking at a report, and it is a report of the chairman of the task force appointed to consider the matter of establishing a regional fast-ferry service in the Southern Caribbean. It is at the 32nd meeting of COTED from the 16th to the 20th of May, 2011, and the Trinidad and Tobago Government at that time, they would have been the ones who paid the moneys for this survey to be done. And if you would allow me to just quote. It says that:

The Southern Caribbean region is characterized by sea conditions which range from moderate to rough seas which is sea state 5. Open seas are subject to westward equatorial currents and significant wave heights of up to four metres at 2-metre swells. The hurricane season, which extends from June to November each year, has a significant impact on sea conditions.

So in order to achieve a 90 per cent service reliability in the prevailing sea conditions, the study has recommended a 90-metre length overall catamaran with a passenger seating capacity of about 900.

But what did this Government buy? The *Galleons Passage* is a 74-metre catamaran vessel, and this 74-metre vessel has a maximum speed of 22 knots. The *T&T Express* is 91.3 metres in length with a speed of 38 to 40 knots. The *TT Spirit*, 97.22 metres in length with a speed of 38 to 40 knots. So we bought a shorter boat with less speed. And the larger the ferry, Madam President, it would enhance the stability of the vessel, so that it makes it more capable for sailing over bad sea conditions and it would improve the ride, which is extremely important for

passengers. Because you are not transporting 10/20 passengers. You are transporting over 700 passengers. And we can see when an unsuitable vessel is being used to service the sea bridge what will happen. Because we saw when they tried and they attempted to use the Water Taxi, it was unable to make the trip. Persons were marooned in the dead of the night in the middle of the ocean. It was very traumatic.

Then the Minister describes this *Galleons Passage* as a small coastal vessel. The *TT Express* is a larger vessel. And when you go on the *TT Express*, or the *Spirit*, the boat rocks still and that is a larger boat than the *Galleons Passage*. So would you imagine what will happen with the *Galleons Passage*? And then I want to move on to the other point with respect to the ramp on the *Galleons Passage*.

Madam President: Sen. Hosein, I am not too sure where you are going with your contribution. I ask you to look—to reread the Motion and to understand what are the core issues emerging from that Motion and try and address that, please. Okay?

Sen. S. Hosein: Madam President, I apologize if I was not making myself clear. But when I looked at the Motion it dealt with the valuation reports, and included in the valuation reports would be the specifications of the vessel, and these specs, I am pointing out to the honourable Senate, are those that make the vessel unsuitable, which goes back to the direct issue with regard to the improper procurement process that was employed by the interministerial committee. And I would like to make the point with respect to the ramp, and when I looked at the ramp in the vessel—

Madam President: But you just made the point, Sen. Hosein. What I am trying to get at, you are going off on a tangent into a lot of specifics about ramps and whatever else. You just made the point, you know, very succinctly. And what I

would say is, make your points like that, please—Okay?—having regard to what the Motion is.

Sen. S. Hosein: Madam President, the point I am going to allude to is that with respect to this vessel that we are purchasing, it is unsuitable for our conditions simply because the port currently—both the port in Port of Spain and the port in Scarborough, they do not have the capability in order for this boat to properly dock. I say this, because when I looked at a Trinidad and Tobago *Guardian* report, it is published on the 17th of May, 2018. It is entitled:

“Port gets \$8 million for ancillary works to accommodate vessel”

And if I may be allowed to quote from the article, it says that they are using the \$8 million to:

“put down some steel plates on the jetty to accommodate the ramp when it comes from the vessel and the installation of some piles...”

So the Minister of Finance would have alluded that there were three different bodies, or individuals that would have gone to look at the vessel, and they were Lloyd’s Register of Hong Kong, the Schulte Marine of Australia and experts from UTT’s maritime campus. And, Madam President, after all of these rigorous checks, none of them could have advised the Government that the ramp on this boat could not properly dock here so that vehicles would not have been able to go on and off the boat? [*Desk thumping*] After all of that?

When we look at the *Galleons Passage*, this company, Sea Transport Solutions, this is the first time this company ever built a boat of this size, Madam President. The *Galleons Passage* is the largest boat that this company has ever built. The second largest boat they would have built was the *Pentalina*, which is 68 metres. It is the fastest boat that they also built. All the other boats travel at 17

knots, 14 knots, 18 knots, but this boat, in specific—travels at 22 knots.

All of that touches and concerns the engine capacity of the boat, because that is the most important instrument on the boat. And I know the Minister of Works and Transport will agree with me. And there is little information on the engine. All we know, they have four oil engines, the maximum speed again. But then the designer of the engine is unknown. The maker of the engine is unknown. These vessels require regular and proper maintenance. Is it that as part of this US \$17.4 million, included, are we getting services such as maintenance and advice with regard to maintaining these vehicles? And is it that the parts are only available in China? Because if we remember on the 13th of April when the *Galleons Passage* departed from Honolulu to go to Mexico, en route to Mexico the raw water pump on the starboard side of the vessel developed mechanical problems.

NIDCO advised that a month later, which was the 7th of May, Madam President, that the pump that they would have sent from Australia was not the suitable pump. They had to repair the old pump. So imagine that the parts on this vessel have issues—and the vessel has not even reached to Trinidad and Tobago—and how long will it take for us to get any parts? It is not like the Minister could go in the Bamboo and acquire the parts for this vessel.

I want to ask the Minister, that when the vessel was in Mexico, whether or not there were any deficiencies with regard to the vessel. Because I heard that there are auxiliary engines that were missing from the vessel after they were evaluated by the port security control. And I looked at what auxiliary engines could be on a boat, and it dealt with pumps, compressors, blowers for circulating fuel and the fresh water and sea water used in cooling systems. So, Madam President, I think the Minister of Finance, the Minister of Works and Transport,

need to tell the country whether or not there is an auxiliary pump that is missing on this vessel.

Madam President: Sen. Hosein, I really am very sorry, but the fact of the matter is, we are not debating the full mechanical work-up of the *Galleons Passage*. We are debating what is set out here in the Motion. There are times when you are tying in what you are saying with the Motion and there are times when you are going off and just giving information and statistics about the vehicle and parts. I do not need that. I need you to focus on the Motion. Okay?

Sen. S. Hosein: Thank you very much for your guidance, Madam President. And I say this because when we procured this vessel, it was obvious to the Government that the vessel would have needed to travel from China to Trinidad and Tobago, so, therefore, there were certain background checks that needed to be done on the vessel. And there are certain things with regard to the retrofitting of the vessel that I would like to make an issue of, because I think that is important because that was part of the procurement process, because the vendor agreed that they would have conducted certain retrofitting of the vessel and that the purchaser, who is the Government of Trinidad and Tobago, NIDCO, would also agree to certain retrofitting of the vessels.

Madam President, I looked at the Senate *Hansard* of the 13th of March, 2018, and the Minister of Finance would have indicated that there are some additional costs and these costs are as follows—which deals with the sealing of the space between the ramp door and the hull of the vessel. Now, you are sealing the ramp door and the hull of the vessel. So, does this mean that there is some leak in order for water—

Madam President: Sen. Hosein, no. I really have to intervene here a little more

firmly now. Okay? You are quoting from the *Hansard*. Those matters are already on the public record, so there is no need to read at length, the *Hansard*. If you want to make a point, tie it in to the Motion, please. All right? But whether there are leaks, all of that, you know, I need you to tie in your contribution to the Motion, please, and read the Motion carefully. Okay?

Sen. S. Hosein: Madam President, thank you very much. Let me just read the Motion in terms of—

Madam President: No, do not read it to me. Have a seat. Do not read it to me. Just as you continue, just keep the Motion in mind, please. Okay?

Sen. S. Hosein: Yes, Madam President. When we look at—I will read it for my purpose, right? And when we look at in the interest of transparency and accountability of the procurement of the vessel, and then we look at the persons that were involved in the valuation of these vessels, such as Dun & Bradstreet, it was obvious that all of these things should have been pointed out to the Government before you procured this vessel.

And I am looking at the specifics in which the Government should have been made aware, because these things affect our international obligations. And if you would allow me, Madam President, there is the Lloyd's Register Classification Society, and this is the classification society that will sanction the works that are being done on the vessels. And the Government would have known that they would have had to have been subject to all of these testings. And under the Lloyd's, Madam President, under the International Convention for the Safety of Life at Sea, it deals with the safety of these vessels, and in particular, it says that passenger ships in design materials and construction shall have watertight doors, and we are seeing on this vessel that these qualities are not in the vessel, which

would affect whether or not the vessel is grounded in certain countries or not. So I ask if those classifications affected the vessel from being delayed in Mexico on its route to Cuba.

Madam President, I know you are signalling to me, but I would—

Sen. Gopee-Scoon: 46(1). Come on.

Sen. S. Hosein: Are you speaking on this Motion?

Sen. Ameen: Address the Chair and ignore her “nuh”.

Sen. S. Hosein: Madam President, there are so many issues to be—I could point out a hundred flaws in this vessel. And I did this and I am an Opposition Senator with no resources—

Sen. Gopee-Scoon: Point of order, 46(1).

Madam President: Sen. Hosein, I must, please, ask you if—I just ask you, please, the Motion is not about the logistics and the mechanical issues. It is not primarily on that of the vessel. So the Motion is framed a certain way and, therefore, your contribution must be framed a certain way. So I am going to have to caution you, hopefully, for the last time, about relevance. Okay?

Sen. S. Hosein: Thank you very much, Madam President. And, Madam President, it goes directly to procurement. We say that the Motion is about transparency, it is about accountability to Trinidad and Tobago with regard to the purchase of this vessel. It shows that this Government is not coming clean and it is not being transparent about the dealings with this vessel. [*Desk thumping*] Because they give the population an excuse that the vessel will not arrive in Trinidad because of certain outfitted works and there is the embargo with respect to Cuba and the United States—

Madam President: Sen. Hosein, I really have to ask you at this stage—please

take your seat. You are now starting almost to repeat what you have said earlier in your contribution. Okay? And I am going to ask you—you have a few minutes left—tighten up what you are saying, please, in your contribution in terms of relevance.

Sen. S. Hosein: Madam President, may I ask how much time I have again?

Madam President: You have until four minutes past four.

Sen. S. Hosein: Madam President, the only reason I raised the point with regard to the embargo is—

Madam President: No need to go over all of that. Just continue.

Sen. S. Hosein: Sorry. But if I may continue on the point of the embargo, simply to say—

Madam President: Not really, you know. No. Sen. Hosein, no.

Sen. S. Hosein: Because the Minister was allowed to—

Madam President: No, Sen. Hosein. Continue, please. Continue without reference to the embargo, please.

Sen. S. Hosein: Madam President, when we look at the cost of the vessel—let us look at the cost of the vessel, then. The vessel cost this country \$17.4 million. The Opposition has information that this vessel cost \$15 million. And myself, being a lawyer, and there are other lawyers in this House, would understand that—I would just draw an analogy. When you enter into an agreement for sale with respect to land, for example, there is a forfeiture clause in that agreement. And it says that if you do not complete the agreement according to the stipulated conditions outlined in that agreement, you forfeit whatever deposit you would have made. In order for the Gran Cacique company in Venezuela to have purchased this vessel for it to reach this advanced stage, it would have meant that they would have had to pay

some moneys on signing of the contract, and then further sums would have been advanced throughout the contract.

The point I am making, Madam President, is that if this vessel was already being purchased by another company in Venezuela, then that amount of money would have been forfeited, and the amount of money that the Government of Trinidad and Tobago would have had to pay would not be the full \$17.4 million, because according to shipping contracts, the company can, in fact, go on and say well, if we collect, let us say, for example, \$10 million from Gran Cacique, then the balance will be paid by whatever purchaser. So this casts more questions on the actual purchase price. And Sen. Mark hit the nail on the head when he said that this vessel has been in sea since 2016 and we are paying \$17.4 million, whereas in this case, we see that a brand-new vessel cost \$15 million.

So the point is that, will you buy a car that is used for one year for \$100,000 when you could go in the company and buy a brand-new car that was never used for \$80,000, Madam President? That simply does not make sense. This Government's arrangement is without merit. It is without sense and it is without due diligence, Madam President. [*Desk thumping*] And when we say US \$17 million, this goes up to about TT \$120million, and it is not only \$17.4 million that we paid for this vessel. There are other costs.

Madam President: Sen. Hosein. Yes, you have spoken about that before, you know, in our contribution. As you wind up, I am going to ask you to just refer to the Motion, please. Okay?

Sen. S. Hosein: Madam President, the point I am making is that with respect to the procurement of this vessel, the Government would have known that they would have had to enter into other monetary arrangements in order to procure this vessel.

And the other costs came up to about US \$2.3 million, which is about TT \$14 million, because you have to look at the legal fees that were paid, US \$25,000; inspection of the vehicle, US \$27,000; valuation and survey report that is before this House in this Motion, US \$25,000. Then in order to bring the vessel here, US \$811,000.

All of these things were not made transparent to the public until the Opposition had to file questions both in this House and in the other place in order to seek answers from this Government. [*Desk thumping*] Because, had it not been for the vigilance of the Opposition, we would have never known all the other costs that are attached to this *Galleons Passage*. And we see that the Government needs to come clean with respect to this.

And if you have the papers before you—the Minister waved all the valuation reports. If you have it in your possession, there is a table there. Lay it, Madam President. [*Desk thumping*] The Minister should lay the report. What is the fear of this Government in making these reports so secretive? Because it seems as though, if you have nothing to hide, well, then, support the Motion brought by Sen. Mark. Because if you campaign in order to get into office because of accountability and transparency in governance, then you would have no problems in showing us the Dun & Bradstreet Report, the Memorandum of Agreement between the Government of Trinidad and Tobago and also Sea Transport Services.

Because, Madam President, the Government cannot continue to evade the provisions of the Central Tenders Board Act because that is the central governing legislation that deals with procurement in Trinidad and Tobago. And I call upon the Government, that the Procurement Regulator has been appointed and the board has been appointed, so what they shall do now is proclaim the rest of the

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provisions of the Procurement Act in order to see some sort of transparency and accountability—

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

Sen. S. Hosein: Thank you very much, Madam President. This Motion, this fiasco of the sea bridge, this *Galleons Passage*, the unknown *Galleons Passage* that nobody has seen as yet—nobody—besides on the Twitter account of the Minister of Finance, this sea bridge between Trinidad and Tobago will be the defining moment of this PNM Government. The history will show their incompetence and the arrogance of this Government not to listen and heed advice from stakeholders, and it shows their total disregard for the welfare of the people of Trinidad and Tobago. And I call on this Government and I call on the Minister of Finance, with this fiasco, to resign immediately from this Government. I thank you, Madam President. [*Desk thumping*]

4.00 p.m.

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): Thank you, Madam President. Madam President, as the Minister of Works and Transport with the responsibility for transport in Trinidad and Tobago, it is my duty to remind the people of Trinidad and Tobago of the recent history on the issues of the inter-island sea bridge, which resulted in the Government, led by the hon. Prime Minister, appointing an interim ministerial team with a mandate to go out and locate a suitable passenger vessel to service the inter-island sea bridge, and to bring an end to this national crisis that threatened to undermine the stability of the twin island Republic, and to do untold damage to the economy of the people of Tobago, whose livelihood is linked to the smooth operations of the sea bridge.

Madam President, in dealing with the Motion I do not want to be accused

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like some of the other speakers on the other side, of being irrelevant, I just want to deal with the Motion directly because after the Minister of Finance would have spoken, I think yet again, the Opposition might have had second thoughts of bringing a Motion like this. The Motion speaks about where the Government has acquired the *Galleons Passage* through the procurement, not including the Central Tenders Board, and I just wish to read—I do not know how the hon. Senator read the different stages of procurement and said, “not relevant”. Madam President, it is my duty to remind the Senate that in accordance with section 20A(1) of the Central Tenders Board Act, Chap. 71:91, the Government has a further option of procuring goods and services, inter alia, through NIPDEC, or a wholly-owned state company. There is nothing wrong with using NIDCO for procurement. [*Desk thumping*] So, to suggest that because NIDCO was used, that the process was wrong and flawed, clearly the procurement was done by NIDCO in accordance with the Central Tenders Board Act, Chap. 71.91. [*Desk thumping*]

Madam President, the Motion also speaks about the Minister of Finance having advised that the Government was guided by—to pay for the vessel, by the valuation reports of two independent firms. Madam President, nowhere in the *Hansard* did the Minister say that. I have checked the *Hansard* and I have the *Hansard* here. On two occasions what is said, there was no direct cost of the valuation conducted by Oceanic Design & Survey in November 2007, since this came with the package of documents from the vessel arising from the construction of the vessel for its previous Venezuelan client.

The Minister was quite clear to say that one valuation came with the vessel, and in proper procurement practices like any of us will do, the Government went for their own valuation, and their own valuation, together with the inspections from

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the different marine experts and the Lloyd's of London brokers and everybody, that is where the Government was guided to accept the price of \$17 million. So, it is not correct to say again, in the Motion. So again, that is two parts of the Motion that clearly are far from real facts and it is, as the Minister said, it is all fake news, or "squirrel talk". [*Laughter*]

Hon Members: "Skirrel."

Sen. The Hon. R. Sinanan: Again, Madam President, in the Motion, the Motion again speaks about where the interest of transparency and accountability in the procurement of inter-island vessels—I just want to put on the *Hansard* that NIDCO has been involved in the acquisition of ferry vessels in the past, and just to confirm what I am saying, in 2013—the then Government—Cabinet took a decision to have NIDCO be involved in the sale of four vessels, the water taxis and the—the four vessels were vessels being used by NIDCO and the port. Subsequently, and for some reason only known to the then Cabinet, removed that option, sent it back to the port. It is so sad to say that we have vessels parked at a dockyard where we are paying something like \$29,000 a month to rent and these vessels have just been parked there because the Port Authority has not been able to sell these vessels, and I wonder if that is not a part of the whole 2013 fiasco that took place on the port—

Sen. Ameen: 46(1).

Sen. The Hon. R. Sinanan:—but again that is not a point that I want to go into on this Motion.

Madam President: Sen. Ameen has invoked a Standing Order.

Sen. The Hon. R. Sinanan: Sorry.

Madam President: I would ask you to not make reference. Just move on.

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Sen. The Hon. R. Sinanan: The point I am trying to make is that the whole fiasco about NIDCO being involved, this is not the first time NIDCO has been involved in vessels. [*Crosstalk*] Madam President, I just want to put on the record, based on some of what Sen. Hosein would have said—

Madam President: Minister, just one minute please.

Sen. The Hon. R. Sinanan: Sure.

Madam President: I am noticing the behaviour starting to degenerate a little bit. The Minister is speaking and I would ask Members to observe the Standing Orders. Continue, Minister.

Sen. The Hon. R. Sinanan: Thank you. Madam President, it is important that I put on the record, basically how we got here, and why we had to go out for the acquisition of the *Galleons Passage*. Because—[*Crosstalk*] I was hoping that— Madam President, I want to speak to you, not to them. I am sorry we did not allow them to go in the galleon—

Madam President: Sen. Obika, please, allow me to preside. So Minister, direct your contribution to me, please. Okay? Sen. Obika, please, allow the Minister to speak while you remain silent. Thank you very much, Sen. Obika.

Sen. The Hon. R. Sinanan: Madam President, in 2017, there was a problem on the port with the cargo vessel. The Port Authority would have gone out in search of the procurement for a cargo vessel. Unfortunately, at that time they were unsuccessful. My information is that the port tried seven times to get a vessel. Between the cargo vessel and the passenger vessel, they were unsuccessful. During this period, the Port Authority recognized that there was a challenge with the passenger vessel. Both passenger vessels, the *T&T Spirit* and the *T&T Express*, were operating way below what was acceptable and there was the threat that both

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vessels would have gone down at the same time. The Port Authority, with the approval of the Cabinet, decided to go out then for a passenger vessel, and a lot of us do not understand the difference between the passenger vessel and the cargo vessel. When the port went out for the passenger vessel, again the procurement was stymied for some reason or the other. The port was unable to procure a passenger vessel. What happened then? The Government, looking at this challenge where we could end up on the sea bridge without a passenger vessel, decided after several failed attempts including the procurement of the *Ocean Flower 2*, and that had to be cancelled. Cabinet then, recognizing that the port was unable to procure a passenger vessel, immediately took a decision to have the ministerial committee go out and assist with this. That is how the ministerial committee came into being. It is because of the failure of the port on almost seven occasions to procure a vessel. So the notion about the Government acting outside and no transparency and so, this was as a result of an emergency facing this country.

Fortunately, the port was able to keep one vessel operational while one went on dry-docking. When the decision to go out for a passenger vessel was taken, it was on the pretext that we may run into a point where no vessels would have been able to operate. The port was successful now in getting back the *T&T Spirit* which is operational on the sea bridge, and if I am to say, Madam President, the capacity on the sea bridge as we speak, with the *T&T Spirit* is just about at maximum 73 per cent. It ranges from 45 per cent to about 73 per cent capacity. So the notion of, the vessel is out there, and it is not coming, and we are suffering, that is just a figment of the imagination. Once the vessel comes in, what it will allow the port to do is to have a better maintenance cycle of the vessel.

Sen. The Hon. R. Sinanan (cont'd)

So yes, the vessel is taking longer than expected, we agree with that. We would love to have the vessel here in a much sooner time, however, due to unforeseen circumstances the vessel has not yet arrived and NIDCO is working with the seller of the vessel to have the vessel here. In terms of the valuation—and we heard a lot about all these different valuations and so—I have seen these valuations, and I just want to assure the population that the valuation is done by reputable companies. This country has gotten value for money, and based on all the indications, when the vessel arrives here the vessel will be able to go into service shortly, and we are hoping that for the July/August vacation the vessel will be able to operate on the sea bridge.

I just want to go back to some of the statements that Sen. Hosein would have brought up in terms of the vessel being designed, the engines and the parts. The engines on the vessel—I should not go there. I just want to correct something that Sen. Hosein said about the port having to spend money to retrofit for the vessel. That is not a true statement.

Sen. S. Hosein: What about the seats?

Sen. The Hon. R. Sinanan: The port has nothing to do with the seats on the vessel. The retrofitting on the port has to do with the fact that in 2014, a jetty was built at the port for close to \$17 million. Unfortunately, they never took out the old jetty. So that is one of the reasons why the vessels that we use cannot be berthed where they are supposed to berth. So part of the money that is being spent on the port is to continue the works so that we can use the jetties that were built at a cost of about \$15 million to \$17 million, and to extend some of the piers so that when additional vessels come we will have space to work there. So the people who are advising on the vessel, they were advising on the suitability of the vessel. There is

Sen. The Hon. R. Sinanan (cont'd)

nothing that says that the vessel cannot berth in Trinidad and so. Okay?

Madam President, after the Minister of Finance spoke, he dealt with everything in the Motion, and I think Sen. Mark, in the future, would learn that when he is bringing a Motion, to come with the facts because there are no facts that anything that Minister Mark said—Minister Mark spoke about the—

Sen. De Freitas: Senator Mark.

Sen. The Hon. R. Sinanan: Sen. Mark, sorry. Sen. Mark said—

Sen. Mark: “Doh worry. You going out of office just now, doh worry.”

Sen. Gopee-Scoon: Ignore.

Sen. The Hon. R. Sinanan: Sen. Mark said that he is going to write the—who was it?—the Australian Government about the procurement. Madam President, I sat in this Senate and went through questions about the *Ocean Flower* and the other vessel, and I heard Sen. Mark say—and several of his colleagues—they are going to write the Canadian Government about Bridgemans and things like that. Today, Sen. Mark said he is going to write the Australians. I do not know if Sen. Mark wrote the Canadians, but I can tell you, as Minister of Works and Transport, the Canadians wrote me [*Desk thumping*] and they told me that the company Bridgemans was a Canadian company, because Sen. Mark and some of the colleagues were accusing me of being “Mr. Bridgeman” [*Laughter*] and that I own these boats and things like that. Where has that gone now? Where has that gone? All that and all the acquisitions in today’s Motion will end up exactly like that because they are not founded in any logic and any proof. It is just something to go out there and create some panic because the Opposition is judging this Government by their yardstick. We do not do business like how you do business. [*Desk thumping*]

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I can tell you, the boat that they have right now is before the court. There was a joint select committee trying to find this Minister and this Government “in something”. You know what it ended up? That their board and their people now are now before the court. I would not go there, Madam President. [*Desk thumping*]

Sen. Ameen: 46(1), the Motion. There is a Motion.

Sen. The Hon. R. Sinanan: Madam President, I am sorry for aggravating them. I think they walked into that one.

Sen Ameen: They left you out of the process. So, you do not know anything about it.

Sen. The Hon. R. Sinanan: So, Sen. Mark, with all the nice things that you wanted to put into the domain, I think it fell flat today because the Minister of Finance came and he showed that all you were saying is really “squirrel talk”. [*Desk thumping*] No proof, nothing at all. I could go into so many details about the port and boat, but it is not relevant to the Motion and I really do not want to be irrelevant. Just to tell Sen. Mark, that you could write anywhere. If it is one thing for sure, what happened with the *Galicía* is not going to happen with the procurement of any vessel on this side. [*Desk thumping*] As Minister of Works and Transport, I am seeing certain things in the Ministry of Works and Transport with national helicopters where your procurement style—

Sen. Ameen: 46(1).

Sen. The Hon. R. Sinanan:—cost this country millions and millions of dollars in vessels—

Sen. Ameen: 46(1).

Sen. The Hon. R. Sinanan: Madam President, I am just talking procurement and

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I am not going to keep them back. The procurement—

Madam President: Take your seat, Minister. Sen. Ameen, there is a proper way to invoke the Standing Order. Minister, continue.

Sen. The Hon. R. Sinanan: Thank you. You see, Madam President, there are certain things that if I was a Member of that Opposition I would not bring to this Parliament, and it is procurement. Procurement is something I would never speak about if I was in the Opposition because that is somewhere they are going to get “licks” coming and going.

So I would not want to keep this Senate too long. All I want to tell the people of Trinidad and Tobago, you have a Government in power where corruption and mismanagement is a thing of the past. [*Desk thumping*] “Corruption and mismanagement” is a UNC word, and under this Prime Minister, Dr. Keith Christopher Rowley, there will be, and has been, no corruption in this country. Madam President, I would not waste your time or the Senate’s time to debate a Motion that I totally debunk. I thank you. [*Desk thumping*]

Sen. Gerald Ramdeen: Madam President, thank you for giving me the opportunity to contribute to this Private Members’ Motion brought by Sen. Mark, the contents of which have already been put into the *Hansard*. And having looked at the contents and the recitals in the Motion and what the Motion is aimed at, Madam President, is a very, very simple matter that we are here about this afternoon. It is that this Government, before coming into Government, promised this country that they will be transparent and accountable; that they will bring a new—like the Minister of Works and Transport has just said, that under their regime they promised the people of Trinidad and Tobago transparency and accountability, and if that was the mantra of the Government that is in power, one

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would see that they would have no great difficulty in agreeing to what the Motion seeks to do, which is that the:

“Senate call on the Minister of Finance to table, within fourteen days, copies of the valuation reports, the Memorandum of Agreement between NIDCO and the vendor of the vessel and the Dun & Bradstreet Report on the *Galleons Passage*.”

Madam President, there is a great public interest in this matter because this purchase of the *Galleons Passage* arose out of—I do not think anybody here can deny the hardship that this country faced, and more particularly the people of Tobago faced, when the passenger ferry broke down, and the extent of the hardship that not only the ordinary citizens who travel between Trinidad and Tobago, but the business community in Trinidad. This Government continues to deny the extent of the suffering and the hardship that Tobago, who they represent, [*Desk thumping*] who voted them into power, has suffered by the fact that—admittedly, by the Minister of Works and Transport, under this particular regime, the *Galleons Passage* was the last attempt that this Government has made to procure a vessel on behalf of the people of Trinidad and Tobago. And as we speak today, the promise to the people of Tobago in particular, and the people of Trinidad and Tobago, remains a broken promise of this administration: to fix the problem of the sea bridge.

Madam President, the first recital of this Motion targets:

“*Whereas* the Government has acquired the *Galleons Passage*, a new inter-island passenger ferry in a procurement arrangement that did not include the Central Tenders Board;”

That is the first recital. So let me focus on that.

We have passed in this Parliament, legislation to target—with the agreement of the Government when in Opposition, the agreement of the Opposition when in Government—the procurement process for public procurement in this country. We have passed the legislation. It was the subject of much debate. It is the subject of work on the part of the Government, the Opposition, the Independent Bench, and yet still, as we speak here today on this Motion that targets the procurement of this particular vessel, it has not been in accordance with either what I would call “the old law”; it has not been in accordance with what we can call “the new regime of procurement”.

I think a week ago the Minister of Works and Transport has told us that the Government intends to purchase 200 buses. That is going to be done. One wonders whether the procurement legislation is going to be in place, and what this Government has demonstrated clearly to the people of Trinidad and Tobago is one thing. They are not prepared to act in accordance with the Central Tenders Board Act, as old and as archaic as it can be [*Desk thumping*] and they are not prepared, Madam President, to put in place the provisions to activate and trigger the Office of Procurement Regulation so that any corrupt practices would be stamped out of the public procurement process. [*Desk thumping*] And if this Government—because they cannot complain about the support of the Opposition on the procurement legislation. We brought it, it was their duty to implement it, and we would not be having this debate today on this Motion, I am sure, if the Government had devoted the resources to the Office of Procurement Regulation so that we could have [*Desk thumping*] public procurement in accordance with the Procurement Act.

Madam President, in speaking on this particular matter today—because I am

going to go into the specifics of how this went wrong—I call upon the Government to stop this idea, this charade that is going on in this country, where hundreds of millions of dollars of taxpayers' money is being spent on contract after contract. Today a question was asked of the Minister of Works and Transport about the interchange at Curepe. We are hearing about highways being built, six packages are going out on the Point Fortin—there comes a time where you cannot continue to ignore what is your public duty to implement laws in this country, especially that particular piece of legislation.

Madam President, in this particular case, when the Government became desperate about procuring a vessel that led to this *Galleons Passage*, what the Government simply did was ignore all the procurement laws that we have, as old and as archaic as they could be, and it has become a characteristic of this Government to set up this thing called a “Cabinet committee”. I would like to challenge any Member, any Member of the Government, to indicate to the people—not to me, because I know what the law is, but to indicate to the people of Trinidad and Tobago: Where does the Cabinet and the Government of this country, under the Constitution and under the Central Tenders Board Act as it stands as the present law of this country now, get the power to set up these ad hoc committees by people who are found handpicked here, there and everywhere?

One of the things that I want to ask on this Motion is, these persons who had set up this Cabinet committee to procure this vessel called the *Galleons Passage*, perhaps the problem that we find ourselves in today, Madam President, where each and every citizen is asking the question, when is this *Galleons Passage* going to actually arrive in Trinidad, or reach to Trinidad? When are the people of Trinidad and Tobago going to enjoy the US \$17.4 million that they have spent to procure it?

Perhaps we would not have been having this problem today if we had some qualified people who were involved in the procurement process to get this vessel in the first place. [*Desk thumping*]

I do not want to ascribe too much blame to the Minister of Works and Transport because he was shipped aside in this process. He was just shipped aside. I did not understand why the Minister of Works and Transport—it was touched on by Sen. S. Hosein—who has line ministerial constitutional responsibility for this particular matter, was just shipped aside. I do not understand how the Minister of Finance just railroaded the entire process to control—

Madam President: Sen. Ramdeen?

Sen. G. Ramdeen:—sorry, I withdraw—took control of this entire process away from the line Minister. I mean, I know that because of perhaps Cabinet's responsibility, the hon. Minister of Works and Transport cannot really voice his displeasure about what has taken place in this matter, but I am sure he cannot be satisfied with how this process was handled by those in charge in the Government.

So, Madam President, let me go to recital one and just drill down a little bit deeper if you would allow me, Madam President, with respect to the way in which this should have been done instead of the way that it had been done. The power of supervision of the expenditure of public money is vested in accounting officers under the Exchequer and Audit Act—I have the Exchequer and Audit Act here—and that officer is answerable to the Public Accounts Committee. And, Madam President, under the Constitution, general direction and control is assigned, as Sen. Hosein has said, on the advice of the Prime Minister, by the President. The President allocates responsibilities for Ministries to conduct the business of Government. And why that is done so, is because not everybody in a Cabinet

could work vaille-que-vaille and decide one is building bridges today, another one is building roads the next day, another one is—it does not work like that. There is a degree of order that is put into our Government by the fact that we are governed by laws.

The Executive authority of the state is exercised by Ministers in a defined publicized manner, and that is why when a Government comes into power you have ministerial responsibility assigned by the Prime Minister through a Cabinet, and that is not only just done in the four corners of the Cabinet. It is gazetted so people can understand what their role and function is, so that Ministers do not step outside of the powers that are given to them, and the public understands what is happening. So this new regime of Government that has been thrust upon us by the People's National Movement, where the Minister of Works and Transport today is responsible for the port, and then tomorrow it is the Minister of Finance, and then the next day it might be the Minister—we just do not know what is going on. Nobody understands who has ministerial responsibility for what, and that is not the way it was intended, and it goes back to a very fundamental question, which is, that people have roles and responsibilities and therefore, we must abide by that. You cannot run a Government vaille-que-vaille.

Madam President: Sen. Ramdeen. So hon. Senators, at this juncture, we will suspend and we will return at 5.00 p.m. Sen. Ramdeen, you have used 12 minutes of your speaking time.

4.30 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Sen. G. Ramdeen: Madam President, thank you again. I just want to put on the *Hansard* just to end off the point that I left on, which is that, by virtue of section

79(1) of the Constitution, I would like to just place on record the foundation for the proposition that I made, which is that there is a way to do things. It must be done in accordance with the law and the supreme law says:

“The President, acting in accordance with the advice of the Prime Minister, may, by directions in writing, assign to the Prime Minister or any other Minister responsibility for any business of the government of Trinidad and Tobago, including the administration of any department of government.”

And that, Madam President, is the foundation for which one says that there is line responsibility for different aspects of governance. And what we have seen demonstrated in this particular case is that the Minister of Finance, and I want to be very careful of how I use the words, Madam President, but the Minister of Finance has taken over control, single-handedly, of this entire process. The one person from beginning to end and even here today, to answer the Motion that has been in general, to use the words of the Constitution again, general direction and control of the entire *Galleons Passage*, has been the Minister of Finance.

And one really has to ask, and when you listen to the population—Madam President, something that is unfamiliar to this Government—what the population is asking is: What is the motive behind the idea of the Minister of Finance or the actions of the Minister of Finance taking control of this process? Why? And going back to the Motion and the first recital, Madam President, on the issue of the procurement, it is very important, Madam President, because when—I expect the Government will tell us that this is all done under the power of the Cabinet. Well let me deal with that, Madam President, and say that it is not the role of the Cabinet to exercise procurement functions in a society that has respect for the rule of law. We have become very familiar, Madam President, because there have really been,

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in the two years and nine months that this Government has been in power, there have only been two Ministers who have done any piloting of any legislation. It has been the Attorney General and the Minister of Finance. And we understand when the Minister of Finance is on solid ground, an intelligent, perhaps the most intelligent Member of the Government.

Madam President: Minister.

Sen. G. Ramdeen: Minister.

Madam President: No. Sen. Ramdeen, do not go down that line, please. You have made your point about the Ministers who have piloted Bills. Leave it at that, please.

Sen. G. Ramdeen: Well, let me—as you please, Madam President. But one understands when the Minister is on good ground, we know that he makes an issue of providing us with all of the material and he demonstrates how he is on good ground on an issue. But I was very surprised today, Madam President, in answering this particular Motion, it was all fanfare and noise and portray.

Madam President, that is not the way. If you have facts, bring the facts. The population will judge you on the facts that you present, whether they are credible or not. But when you listen to the reply of the Minister of Finance today, it was respectfully just noise and drama as though the theatrics are going to answer the facts. It does not work like that. We are still waiting on the substance of what transpired in this particular case. [*Desk thumping*] We are still waiting for the Minister of Finance to just stand up, and the Minister of Finance could have answered Sen. Mark's Motion today, like I said before, in, perhaps, one minute and say the Government is prepared today to act in the public interest and disclose all of the material in relation to this *Galleons Passage*. [*Desk thumping*]

The Government stands for transparency and accountability and in spending the money that belongs to the people of Trinidad and Tobago in the public interest, the Government of Trinidad and Tobago is prepared to disclose, from beginning to end, from the committee to the purchase, all of the documents that justify that there was transparency, accountability and most importantly, that the people of Trinidad and Tobago got value for money in this transaction. [*Desk thumping*]

And that is what we were waiting for. That is what would have put an end to the Motion. We could have wrapped up in no time. But the Government did not surprise us today, Madam President. Because after all of the theatrics and all of the replies and everything that the Minister of Finance said, the people of Trinidad and Tobago are no wiser as to what happened to the US \$17.5 million that continues. [*Desk thumping*] What is important, Madam President, is that it starts off at US \$17.5 million, but it continues to grow as the days go on. It has risen by another US \$350,000 to put on this canopy, and I do not know if it is tarpaulin or “wat dey going tuh put on top of it fuh people tuh go under. I doh know.” But what we do know for sure is that the people of Trinidad and Tobago are yet to even be told what their money was spent on. And the money continues to be spent.

Madam President, today was the first time that I have ever heard in the explanation of the Minister of Finance that there was a valuation report—this is what the Minister of Finance said—that was prepared by the people who are connected to this vessel called the *Galleons Passage*. They said they did not rely on that. They went and got an independent valuation report. Well, Madam President, let the people of Trinidad and Tobago judge the credibility of this explanation by what was said by the Minister of Finance.

The people who have a connection to the vessel, so that is why the Minister

of Finance said: “We did not act”, hands up in the air. “We did not act on that. We disregarded that.” And the reason why they disregarded it is because there is a clear conflict in you owning the vessel and procuring a valuation of the vessel that you own, by a company that is connected. So that company says the value of the vessel, their own vessel, to use my words, "own", US \$19 million. They valued their own vessel at US \$19 million.

Lo and behold, the Government of Trinidad and Tobago goes to an international, reputable—400 vessels this company is in charge of around the world. Well, I do not know, Madam President, all of a sudden, the value of the vessel jumps from US \$19 million by the owners, to almost \$40 million. “So you know what I want to advise the Government to do?” Take that vessel and sell it. [*Desk thumping*] Take that vessel that the international Chinese who are in charge of 400 vessels around the world, well you all got a great deal for the people of Trinidad and Tobago, according to the Minister of Finance. So, why not act in the best interest? Let us sell that vessel and buy two *Galleons Passage*.

Because, according to the Minister of Finance, the value of the vessel that they have bought is twice the value of what the owners themselves tell you it is valued; such a good deal by the committee. Let us sell the *Galleons Passage* when it arrives in Trinidad, and let us buy two more vessels. We have \$40 million worth in vessels. Why not? It makes absolute sense to me, because the Government has gotten such a good deal. But I want to dare the Government to try and sell the *Galleons Passage*, just like how we bought the *MV Su* and when we tried to sell it, “it still park up”. We could still go and see the *MV Su*. “It still park up down in Chaguaramas.”

You see, Madam President, with the greatest respect, when we do things we

must try and do things with some kind of order. I made the point that a committee, that a sub-committee of the Cabinet was set up, that included the Minister of Finance again, the hon. Minister of Public Utilities, the then Minister of Tourism, and the Minister in the Office of the Prime Minister. Apart from the—as I know, and it is public knowledge that the Minister of Finance has his own vessel, but apart from that, I do not see that there is any qualification in any of these Ministers to do anything with purchasing of a vessel. “So, is like yuh buying cat in bag.”

This is the value that the Government places. This is the value. This represents the value that the Government places on the money that belongs to the taxpayers of this country. You take US \$17.5 million and place it in the hands, place the power to spend that, of a committee that has absolutely no qualifications to purchase a marine vessel. And that is perhaps why, Madam President, we keep saying that we find ourselves in the position that we find ourselves in today. That is why a Motion has to be brought, and questions have to be asked, and documents still cannot be provided to the people of Trinidad and Tobago with respect to this matter.

So, Madam President, back to the legality of what was done. Any sub-committee of Cabinet, absent technical input, which I just demonstrated, or members vested with technical capacity, can manipulate specifications and requirements of any items to be procured so as to achieve the desired result and so distort the basic tenets of procurement. That is transparency, accountability, integrity, value for money and equality of treatment. And that is the risk that you run, Madam President.

If you have a group of persons, who have been given by the Cabinet of the country, the power to procure X, but they have no qualification in the quality of

what you are asked to procure, what do you expect to get as a result of that process? And what is even more alarming about this entire procurement process is that the Cabinet has appeared to have usurped the independent function of the Board of the Port Authority of Trinidad and Tobago [*Desk thumping*] and wrongfully, respectfully, Madam President, arrogated unto itself procurement functions, and so substitute itself as the decision-maker for the Port Authority of Trinidad and Tobago.

Madam President, the Port Authority of Trinidad and Tobago is set up under statute, you know. There are statutory functions that the Parliament of this country has delegated to the Port Authority of Trinidad and Tobago, one of which is to do exactly what the sub-committee of the Cabinet was set up for. So you arrogate unto yourselves powers that under statute belong to another body lawfully.

This, Madam President, in my respectful opinion, represents an incursion or a transgression into the independence and autonomy of the board of the Port Authority of Trinidad and Tobago and may well amount, Madam President, to an unlawful and an ultra vires exercise of power.

And I have made this point, Madam President. It is even more alarming that the line Minister has no input in this process. Madam President, it is an abuse. Or let me put it a different way. It is a breach of both the Constitution, the Exchequer Act and the Port Authority Act for the Cabinet to arrogate unto itself the power to place selected members of its own to perform a procurement function. [*Desk thumping*]

You know, Madam President, what is shocking—let me put it in those terms—about this is that this comes on the heels of both. Like I said before, every single Member of the Parliament agreeing that the purpose behind the procurement

legislation is to prevent exactly what the Government has sought to do in the face of that. [*Desk thumping*] You can handpick people to procure—[*Interruption*]

Madam President: Sen. Ramdeen, I am very sorry to have to interrupt you at this stage, but you are and have been speaking on one point, practically, since you have started, and I think now you need to move on to another point.

Sen. G. Ramdeen: I am guided. Madam President, I want the people of Trinidad and Tobago to understand what they have spent, or let me put it a different way, what their US \$17.5 million has been spent on. I want to refer to the report that was done by the US Department of Homeland Security on this particular vessel that was done on the 6th of April, 2018. Sen. Mark touched on two aspects of it and I am not going there. So I am going to a different aspect of the report.

Madam President, before this particular vessel was procured by the Government during that period of time when we could not find a passenger vessel for the interisland journey, we had a fiasco, if you want to put it kindly, with respect to the *Ocean Flower*, and a report similar to this one was put into the public domain about that vessel and the problems that arose that eventually caused that vessel to not be considered by the Government any more. So, Madam President, this is a report that was procured by the US Department of Homeland Security I said, on the 6th of April, 2018.

The vessel that the Minister of Finance spoke about, with respect to when you put the hull and when you put the substructure and this was virtually—his entire submission was this was a new vessel that was procured by the Government. Well, let us test that, not by anyone else but the Department of Homeland Security, who I do not think has any interest in this matter.

Madam President, at the second page of this report, this new vessel that was

purchased by the Government has a page of deficiencies that have been pointed out by the Department of Homeland Security and I would expect, Madam President, that the persons who are preparing this report for the United States Coast Guard will know a little bit about these vessels. So, I think we could rely on what they have said.

Under description of the deficiencies, Madam President, let the people of Trinidad and Tobago know that the vessel that they have purchased for US \$17.5 million, the no. 4 main—*[Interruption]*

Madam President: Senator, are you quoting now from the document or are you saying this and then going to quote?

Sen. G. Ramdeen: No, no, no. I am quoting from the document. I am sorry that I did not say that, Madam President.

Madam President: Correct.

Sen. G. Ramdeen: At page 3 of the document, I quote under "Deficiencies":

- (a) No. 4 engine is inoperable. The No. 4 engine is inoperable due to a lube oil leak in the reduction gearbox.

Well, Madam President, the last vessel that we bought, the engine could not start. The new vessel, according to the Minister of Finance, that we have bought, the No. 4 engine is inoperable due to a lube oil leak in the reduction gearbox.

The vessel is carrying 25,000 litres of diesel in open containers on the main deck.

I expect the reason for that and the explanation that we would be given is that that is because of the long journey that it is taking from China.

The vessel does not have any nozzles to fit the emergency fire hoses. So, if something were to happen on this vessel, you will see on the *Galleons*

Passage what you see normally when a fire takes place in Trinidad, “a number of people with a hose with no nozzle and water gushing here there and everywhere”. That is the US \$17.5 million that we spent, that belongs to all of us, the people of Trinidad and Tobago. There are two pages of deficiencies in this report that is done by the Department of Homeland Security.

What the report ends up with, Madam President, is that at the time that the vessel was preparing to leave, because we have a timeline that keeps moving and shifting as we go along, the leak in the gearbox has not been fixed in the No. 4 engine as yet. And that is up to the time, that is 4th of April, 2017.

So, Madam President, the idea that the Minister of Finance is giving to the country that this is a new vessel, that the people of Trinidad and Tobago are going to get some kind of gift when it arrives here, as we speak today, and I will go now, Madam President, to the timeline. Madam President, I want to tell the Government that they should have a little more respect for the intelligence of the people of Trinidad and Tobago. [*Desk thumping*]

Madam President, when you pick up, when you just simply google the *Galleons Passage* and you see—Madam President, it is countless. Almost every month, the people of Trinidad and Tobago have received a broken promise and been given another promise by the Government as to when the arrival time is going to be.

It starts, Madam President. Just to bring you up-to-date. January 19th: new ferry to arrive in April, an article by Shaliza Hassanali, Friday, January 19, 2018. The US \$17.4 million, I am quoting, Madam President, I am sorry.

“The US\$17.4 million catamaran to service the inter-island seabridge is now expected to arrive on our shores from China by the middle of April.”

And two paragraphs down:

“And it would also cost taxpayers an additional US\$800,000 in associated fees, moving the total bill so far to US\$18.2 million (TT\$127.4 million).”

This was in January, Madam President.

In January, we were told this was coming in April. In April, we were told it was coming in June. In June, we are now being told it is coming in July. I mean, Madam President, you know, the Minister of Works and Transport has told us time and again: "There is no big thing. The sea bridge is operating well with the *Cabo Star* and everything is fine. It is going empty at times." You know, it is the Government of Trinidad and Tobago that has spent US \$18.2 million on this vessel.

And, Madam President, at the end of the day, all that the people of Trinidad and Tobago are asking for is for us to understand that we got value for money. All that we are asking for is for the Government to be transparent in what they have done in this particular transaction. [*Desk thumping*] If it is that the Government has been above board in what they have done—[*Interruption*]

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

Sen. G. Ramdeen: Thank you, Madam President. If the Government has been above board in what they have done, then there would be absolutely no reason for us to be standing here for hours debating a Motion that simply asks the Government to make disclosure of what they have done.

This is public business, Madam President. This is the interest of the people of Trinidad and Tobago. It is the money. It is the money that belongs to the people of Trinidad and Tobago, \$127.4 million, that has been spent in procuring this vessel. And while that has been spent and while the price tag keeps going up

day by day, the people of Trinidad and Tobago as yet have not been able to get the benefit of a journey between Port of Spain and Scarborough on the *Galleons Passage*.

As we speak today, we still cannot tell any citizen, as the Minister of Finance was unable to do in replying today to tell us: when are the people of Trinidad and Tobago going to have the comfort of sitting on the *Galleons Passage* and going from Port of Spain to Scarborough and from Scarborough to Port of Spain? We are still unable.

As we stand here, we are still unable to tell the country how much more it is going to cost. Because, you know, Madam President, in addition to what Sen. Mark has asked for in this particular Motion, there is a hidden aspect to this, which the Government should also disclose. That vessel called the *Galleons Passage* cannot travel from Honolulu to Port of Spain without insurance. So who has been given the contract to ensure the *Galleons Passage* from the journey it is making, the passage that it is going to travel between Honolulu and Trinidad? We are yet to be told how much it is going to cost when it reaches Port of Spain and it has to be docked somewhere for the repairs, the tarpaulin to be put on to be travelled, the seats and all that has to be done. We are yet to be told that.

This is a Government, Madam President, that has promised transparency and accountability. And it is about time that they deliver on that promise to the people of Trinidad and Tobago.

And I want to end, Madam President, with a very familiar quote that I have repeated more than once in this Parliament and it is very apt to what Sen. Mark has asked for today in this Parliament and I want to end on this note, and the Government should take note of it. It is maybe worth reminding ourselves that

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whereas freedom, transparency and accountability are the hallmarks of a participatory democracy, secrecy lies at the heart of every dictatorship. I thank you, Madam President. [*Desk thumping*]

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Thank you very much, Madam President. It was not my intention to speak on this debate. As Leader of Government Business, I had intended to have the Minister of Finance respond and just the Minister of Works and Transport as our second speaker. But because the Motion fell flat and there was not much to be said by the Opposition and the Independents being smarter than the Opposition, I hope I have said something which is not offensive, realized that they do not see certain merits in this Motion and felt they should not be speaking on it.

Madam President, this Motion did in fact fall flat. Because—let me start by quoting former Prime Minister Manning. He had a saying, he used to say, “Nothing wrong in having yuh propaganda. But when yuh start tuh believe yuh own propaganda watch it.” That is what is happening on the Opposition Bench. It was amply said by the Minister of Finance. You are starting to believe the fake news. And fake news is now coming an international dilemma. Because you create fake news on social media and then you are getting people to start to believe it and it is like virtual reality. It does not exist in the real world, but it exists in the figments of people's imagination.

Sen. Ameen: Just like fake oil.

Madam President: Sen. Ameen.

Sen. The Hon. F. Khan: The other point I want to start with, Madam President, is it is the position of this Opposition to stymie, to block and to put up roadblocks on everything that this Government attempts to do. The Prime Minister said it amply

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in the House yesterday during the debate, you know. Where they cannot come to the Parliament and stop something, they go to the court. They are not going to the people, you know. They are going to the court. The classic example of that is the highway from Cumuto to Sangre Grande. It is the only highway project in this country that all approvals, up to the regional corporation's approval, were achieved—[*Interruption*]

Sen. Ameen: Terry Rondon?

Madam President: Sen. Ameen.

Sen. The Hon. F. Khan:—and yet they found a way to have their supporters and people who are sympathetic to their cause go to the court. It is now tied up with the Privy Council and we have lost a whole dry season in dealing and servicing the people of northeast Trinidad.

They did the same thing with property tax. It is only two or three weeks ago that the property tax saw its way out of the Senate and it has gone back for amendments in the House, so that now we could start the valuation process to reach the threshold of 50 per cent, so that we could implement the property tax, hopefully later down this year.

5.30 p.m.

They want to campaign in 2020, and say, “What has the Government done? They have done nothing. And they are only saying this and only saying that and only saying the other.” But, Madam President, through you, that strategy will no longer work. We are going to proceed with our developmental agenda in Trinidad and Tobago. [*Desk thumping*]

Madam President, let me deal with the first part of the Motion.

“*Whereas* the Government has acquired the *Galleons Passage*, a new

inter-island passenger ferry in a procurement arrangement that did not include the Central Tenders Board;”

Sen. Ramdeen went to town on it. It was briefly handled by the Minister of Works and Transport, Sen. Rohan Sinanan.

We have passed procurement legislation in both Houses of Parliament. The procurement infrastructure is almost in place, the Procurement Regulator has been appointed by the President, the office of—that has been established, I think it is in this building itself, the parliamentary building. So, that legislation will be proclaimed, and the Prime Minister has gone on record that it will be proclaimed in the shortest possible time, hopefully before the end of this year.

But having said that, the procurement of this vessel was never in breach of the Central Tenders Board. Every single administration in this country has used special purpose companies to procure. NIDCO—in fact, if there was any abuse of the procurement system, it was under the UNC from 2010 to 2015. [*Crosstalk*] They know that, they know that. NIDCO, “You ever hear bout the famous addendum 2, for the OAS contract?” That was a UNC creation under NIDCO. The massive hundred and billion-dollar contracts that were given through the EBMD—

Sen. S. Hosein: Madam President—

Sen. The Hon. F. Khan:—that one contractor has us in court. I am just building up to the, I am just—

Sen. S. Hosein: Madam President, point of order 46.(1), please. The Motion is on the *Galleons Passage*, 46(1).

Madam President: No, no, no. I will allow the Minister. He is answering to some extent what has been raised by Sen. Ramdeen. So I am allowing him to

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respond. Continue Minister.

Sen. The Hon. F. Khan: And I will close off on this point, and make my final point on procurement of boats. We have set up a Cabinet committee, not to buy the vessel, but to look for a vessel. Because the system in the Port Authority had broken down. And I think we did a good job, and I want to publicly congratulate the team that was headed by Minister Imbert—[*Desk thumping*]*—*and did the Minister of Public Utilities, including the then Minister of Tourism and the Minister in the Office of the Prime Minister.

You know what the UNC did? The then Prime Minister, the hon. Kamla Persad-Bissessar, went to China, and she saw a boat. She never “even board the boat, and she say I want that one”. They bought the boat and they brought it here, you know. It was supposed to be a gun ship; it never come with a gun. [*Laughter*] They went to the Damen shipyard in the Netherlands and they bought seven vessels “on trust”. We had to pay for it. That is procurement UNC-style.

We have been in office for three years, and there has not been one incident in which it can be said that there was any corruption in the procurement system under this administration. [*Desk thumping*]

So, we move on. Let me talk about the hullabaloo that everybody seems to be talking about when the vessel will reach, when the vessel will reach. I mean, there are so many newspaper and radio stations and television stations in Trinidad, everybody wants news.

First and foremost, the vessel is not a vessel constructed for long haul. We “does normally call” long haul here transatlantic. If transatlantic is long haul, you know what is a trans-Pacific long haul? For those you who did geography, I have a degree in geography and geology—the Pacific Ocean is by far the largest ocean on

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earth. And to sail from China to Mexico via Honolulu is not an easy journey. Especially for a boat that is not constructed as an ocean liner vessel.

So it has to take its time, and every week some reporter have to call you, “When the vessel coming?” I “does feel sorry” for Minister Sinanan, you know—*[Crosstalk]*—good? Because every week he has to be on his phone trying to answer, when the vessel will reach. It is a new engine, it has to take its time. And when it reaches Honolulu and a little leak appears, here and a little—fuel pump, or a little water pump breaks down, which are disposable parts just to replace, it is as if a major engine defect has occurred on the boat.

Hon. Senator: Brand-new vessel.

Sen. The Hon. F. Khan: It is brand new, but it is coming after a long haul. When it comes to Trinidad, do you know—

Madam President: Minister, address me.

Sen. The Hon. F. Khan:—do you know how many Scarborough to Port of Spain journeys is equivalent to a journey from China to Trinidad. It will run for two years in Trinidad and still do not cover that distance. So, it is just making a mountain out of a molehill.

The other aspect of this I want to bring up—because the vehicle, if you design—well, let me use another analogy. Nowadays, everybody buying pants off the rack, in the days when you had tailors, when you go by your tailor, buy your pants length, measure yourself and make your pants, the pants come out to fit. But when you go and buy one off the rack, I am a short person, I buy 34 waist—*[Laughter]*—most likely I will have to hem it. Because it is too long for me, and nowhere will I buy a pants anywhere in the world that it will fit me by length; it will be by waist, it will fit me by thing. *[Crosstalk]*

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So when you buy a vessel that was built, and it was not built to your perfect specification, there must be a process called retrofitting. [*Crosstalk*] And we are lucky that the retrofitting did not have to be elaborate, because the vessel was designed to work between mainland Venezuela and Margarita, which is in similar operating environment to us from Scarborough to Port of Spain. What is the big fuss?

Go to Cuba, okay? People making fuss about a canopy. Because there is a tendency to do fishing—you know what phishing is in the computer world—they are looking for things that do not exist. They are looking for corruption, but if you are looking for corruption do not look here. [*Desk thumping*] Look somewhere else, I would not say where. There has been absolutely no corruption in the procurement of that vessel.

Sen. Obika: What about Sandals.

Sen. The Hon. F. Khan: Sandals, all we have is a memorandum of understanding in Sandals. [*Crosstalk*] Yes. So they are looking for ghosts, they are looking for needles in a haystack, and they are fishing and they are fishing where no fish is biting. [*Crosstalk*]

So, Madam President, I continue. And just give me two minutes of latitude again, if you so desire. On March 28, 2017, the agents for the *MV Superfast Galicia* advised the Ministry of Works and Transport of its decision to withdraw the vessel. That started after it had an 18-month contract. That started the collapse of the sea bridge. This was compounded by the fact that there was not a proper maintenance programme for the *Express* and the *Spirit*. So then we had problems with the performance of the *Spirit* and the *Express*. The *Spirit* went into dry dock and that had its own challenges. We procured a boat called the *Ocean Flower* that

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had its challenges when it came to Panama for the inspection.

So, we were forced into a position, where we needed a passenger ferry, quickly, and as the Minister of Works and Transport said, you who do not go to southern hardware—Southern Wholesale Hardware and say “give meh a boat”. You would get anything else in Southern Wholesale Hardware except boats. [*Crosstalk*] I would not want to say what you could get there. [*Laughter*] So, we instituted a procurement process for this boat and a lot has been said in the fishing exercise to find out, what went wrong? How it went wrong? What type of corruption took place? And it goes to show that that is in the psychology and the DNA of the UNC.

Now, let me start with the second part of the Motion—no, no, let me continue with the second part of the Motion:

“And whereas the Minister of Finance has advised that the Government was guided in the amount it paid for the vessel by the valuation reports of two independent international firms;”

—and it goes on to say—

“And whereas it was discovered that one of the two firms that conducted the valuation is owned by the same company from which Government purchased the vessel;”

There are subtle innuendoes in there, you know. Because it is implying that you are using the valuation that was conducted by subsidiary or affiliated company of the owner of the vessel to determine the price that you paid. That was debunked by the Minister of Finance, look I have all the reports here, you know.

Hon. Senator: Well, put it on the table.

Sen. The Hon. F. Khan: I have to get Cabinet approval for that and the Minister

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of Finance.

Hon. Senators: “Ahhh.”

Sen. The Hon. F. Khan: Good.

Sen. Obika: A shroud of secrecy.

Sen. The Hon. F. Khan: Look it here. The Oceanic Design & Survey, this is the company that is supposedly a subsidiary or an affiliated company of the seller, which is Sealease Limited. The total value they said is US \$19million—17 November, 2017. The report is here, but this came with the package, as the Minister of Finance explained, that was submitted by the owners of the boat.

So, if we had taken this valuation and bought the boat for \$17million, Jesus Christ—sorry, sorry. If we had—I do not want to be sacrilegious, I apologize. If we had taken just this valuation and purchased that boat, all hell would have broken loose in Trinidad and Tobago.

So what did we do? We went to Schulte, S-C-H-U-L-T-E, and the reputation of the firm was already explained by the Minister of Finance, and got a valuation. It is a detailed valuation, it has vessel particulars, key dates, classification, certification, speed and power, fire protection and lifesaving inspection summary, vessel conditions, navigation bridge, passenger deck, car ramps, anchor, windlass, crew accommodation, deck navigation and communication equipment, engine spaces; you name it, everything is covered here. Pictures to back up their evaluation. They estimated just around \$35million.

Sen. Mark: Fifty-five?

Sen. The Hon. F. Khan: Thirty-five. So you have a situation here, where the owners, or a company that is affiliated to the owners, say it is \$19million; this internationally reputable company say it is \$35million. And Sen. Ramdeen raising

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a question, well something wrong with this? The issue is, this is like a Lloyd's of London, you know, okay?

So we went ahead, negotiated the \$19 million down to US \$17.4 million; and through you, Madam President, if \$17.4 million, based on the specification of this boat done by the Schulte, is not value for money, I do not know what is. [*Desk thumping*]

So we went ahead and we purchased the vessel. The vessel started its long journey to Trinidad and Tobago, and I can guarantee you when the retrofitting that is to the account of the owner is completed in Cuba, Santiago de Cuba, and it arrives in Trinidad, there will be some retrofitting which is to the account of the buyer that will be done—the boat will go into service and once and for all, the people of Tobago and to a lesser extent the people of Trinidad will be well served by a sea bridge service that will be probably second to none since we have had independence. [*Desk thumping*]

And let me move ahead with the Motion. But before I go on to that I just want to draw your attention, Madam President, to another what I will call “fake news” that was propagated by Sen. Mark. Sen. Mark said here on the *Hansard* that the wire transfer, remember this one very clearly, the wire transfer or the cheque—well it was not a cheque, it was a wire transfer—was made to a company called Sea Management Corporation Services PTY Limited and they are the trustees for the Ballantyne Dawson Family Trust. Where did you get that information from, Sen. Mark? On the Internet?

Sen. Mark: No. [*Laughter*] I have the evidence here.

Sen. The Hon. F. Khan: There is no Rienzi Complex again, you know, [*Laughter*] I do not even know what—what is the address of the UNC? I am the

Galleons Passage (Tabling
of Valuation Reports)
Sen. The Hon. F. Khan (cont'd)

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Chairman of the PNM and I do not even know what is the address of the UNC, and I should know that, because of intelligence. [*Interruption*] They are homeless. [*Laughter*]

The seller, it was confirmed by the Minister of Finance, he is in charge of finance in the country, to get the \$17.4 million that was to pay, it has to come through the Ministry of Finance, the Budgets department. The cheque staff at the Ministry of Finance. It was paid to Sealease Limited.

Sen. Mark: Who owns Sealease, Brother?

Sen. The Hon. F. Khan: This is Sealease Limited.

Sen. Mark: Who owns it?

Sen. Gopee-Scoon: You are not on the floor.

Sen. The Hon. F. Khan: Good. So do not—it is not who owns and who does not own. Is who the cheque was made payable to. And we move on, Madam President.

“*And whereas* in the interest of transparency and accountability in the procurement of the inter-island passenger ferry, several requests were made for the Minister of Finance to provide the Senate with copies of the valuation reports, the Memorandum of Agreement between NIDCO and the vendor of the vessel and the Dun & Bradstreet Report on the *Galleons Passage*; yet none of these documents have been provided;”

Not every document that has been prepared within the Executive in the conduct of the affairs of the country has to be made public. [*Crosstalk*] Okay? And not everything that is done, you have to make everything—otherwise there will so much piles and piles of documents in the Parliament. It will be unbearable.

Sen. Mark: You serious, boy?

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Sen. The Hon. F. Khan: Madam President, there is absolutely nothing to hide, the reports are here. And one day, if it is the desire of the Cabinet and the Ministry of Finance this matter will be made public. But I do not have jurisdiction over that issue. [*Crosstalk*]

So, Madam President, while it may seem on the surface that this Motion has a lot of latitude for a debate, it really does not, and hence the reason I have nothing much more to say on it. I think I have dealt with the issue of procurement, I have dealt with the issue that we did not require Central Tenders Board approval for the procurement process that we went through. I have justified the need for the Ministerial committee that was appointed by the Cabinet. I have shown without any reasonable doubt that there was no impropriety in the transaction of this matter. I have shown together with the Minister of Finance that there were two audits—valuations, one by an affiliate company of the owners, one by a third party independent internationally acclaimed valuator. Strange enough but we have to accept it as fact, the third party independent valuator of international repute came up with a higher valuation than the one affiliated to the owner.

And then finally, the request for these reports to be tabled in the Senate, that is a matter that is subject to the Cabinet. So I think I have debunked this Motion. I think the Minister of Finance has done—[*Crosstalk*]—an even better job than I did initially, with debunking this Motion. I think the Minister of Works and Transport has also added his two cents in this matter. [*Desk thumping*]

I want to compliment Sen. Mahabir because he was the only brave one to get up from the Independent Bench and say something. Because he is brave and he made a valid point. And the point is that very shortly this country would not be having this kind of tit for tat. The procurement legislation would be proclaimed,

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and we would have a transparent system in Trinidad and Tobago for the procurement of public goods and services.

On the Opposition side, they fell flat today. [*Desk thumping*] They normally fall flat on most days, [*Laughter*] but today the world is flatter. Because of them. Madam President, I thank you. There is a book called *The World Is Flat*, it is an IT book, but UNC has fallen even flatter than that book. [*Laughter*] I thank you, Madam President.

Sen. Anita Haynes: [*Desk thumping*] Thank you, Madam President. I witnessed the Leader of Government Business fight to make up time, so that he would not have to sit down here today and have someone respond to what has to be one of the most vacuous contributions that I have ever—[*Desk thumping and laughter*]

Madam President: Sen. Haynes, you can do better than that. Rephrase, withdraw and come again, please.

Sen. A. Haynes: No problem, Madam President.

Hon. Senator: I withdraw.

Sen. A. Haynes: I withdraw, I withdraw. But, Madam President, [*Crosstalk*] the Motion asked for a simple thing. The Motion asked for certain reports to be laid before the Senate. The Minister, the Leader of Government Business, the Minister of Works and Transport and the Minister of Finance all came here today and quoted liberally from the reports, right? And they are asking us to trust them and to trust that what they are telling us is in a report is indeed fact.

But, Madam President, the whole reason we had to bring this Private Members' Motion is for the simple fact that we cannot trust them. [*Desk thumping*] And in particular, we cannot trust them on this issue. Because, Madam President, if you

trace this sea bridge fiasco from its inception, what Trinidad and Tobago has been faced with is one fiction after another as it rolls out which—in the most, I think, dubious fiction story that we have ever witnessed in this country. [*Desk thumping*]

Madam President, again, Sen. Ramdeen noted from early on in his contribution the Minister of Finance came here to say this is a waste of time and we are wasting the people's time. And then they all proceeded to treat this matter as a joke. But the country is not laughing, Madam President. No one is laughing but them. This fake news argument, the entire defence of the Government, which could have simply been laid to rest by bringing the documents before us; instead, they stood here to tell us about fake news.

Let me tell you about this fake news narrative, right? Most people who bring it to the forefront, who claim everything is fake news are usually the persons propagating the fake news. [*Desk thumping*] If you follow it, if you follow what fake news has done to the political landscape, those persons who seek to deflect, who seek to be not held accountable, who seek to deny the people of their country transparency in Executive affairs stand up and tell everybody else they are presenting fake news and that is what we saw here today, Madam President.

And if—[*Interruption*—yes, it is “Trumpian” politics that I really never expected to witness in our—[*Crosstalk*—in our Parliament, Madam President. As a matter of fact, as we spoke about fake news—and too quickly, you know, the Government sought to tell us that they have been nothing but transparent with this *Galleons Passage*—this *Galleons Passage* debacle. And when I went through, Minister Imbert's Twitter, which was by the way the main source of information on the *Galleons Passage* that we had. Right? It was the Twitter account of the Minister of Finance, and again, I do not want to draw any parallels, but I think the

country is well informed enough on international affairs to know where I am going with this. [*Desk thumping and laughter*]

And the last tweet, Madam President, on the *Galleons Passage* was on 4th of March, 2018, and since then even the Minister of Finance knew better than to bring this up in the public domain. Because they had no clue when this boat was going to get here, they had no clue on where we were going next. And, Madam President, so they came here with weak defence and sought to say that the Motion fell flat when all they needed to do was present the evidence. Because if the evidence would vindicate you, if the evidence would vindicate you, then the simplest thing to do would have been to agree with the Motion. [*Desk thumping*]

But they could not, Madam President, they did none of that. And so as I said, the Motion asked very clearly, in the interest of transparency and accountability, a platform that this sitting Government campaigned on, that they seem very reluctant to fulfil, extremely reluctant to fulfil in any regard, that they would lay copies of the valuation report, the Memorandum of Agreement between NIDCO and the vendor, and the Dun & Bradstreet Report on the *Galleons Passage*; simple enough, Madam President, easy going.

Instead, we came here on a merry-go-round of fake news, and, Madam President, this kind of appeal to the population to say, anybody that is asking for accountability does not have your interest of heart, has to be ludicrous, [*Desk thumping*] has to be ludicrous. To come here and say that not everything, not every paper presented before the Executive is meant for public consumption, that there will be an avalanche of paper. We do not mind reading, Madam President. Reading is not a difficult thing for any of us. [*Desk thumping*] Bring the papers here and we will read them and we can ascertain the validity of the

documents; we have no problem with doing that work.

Madam President, but instead to be told, just trust the Government—“there, there, it will be all right”—I refuse to accept that here today. [*Desk thumping*] I thought we were coming here, Madam President, for the Government to mount a very serious defence on a very serious matter. Instead, because they were incapable of doing that, incapable of defending the indefensible, they decided to treat it as a joke, which in itself is a deflection and a poor one at that.

So, Madam President, I hope as we prepare to end our Private Members’ Day, that the Government takes an opportunity to reflect on the fact that they are mandated to be accountable to the people of Trinidad and Tobago—[*Desk thumping*]*—*that is not a choice that you have; we do not live in a country where you decide what you want to tell us. You tell us what you have done with our taxpayers’ dollars; there is no option in that, Madam President. We are servants of the people, we are here to serve. And you must answer the questions brought before you in this House, Madam President.

6.00 p.m.

And so, I find it again to be alarming, the defence that the Government mounts. The Leader of Government Business came here to minimize the issues found in this new vessel, talking about a little leak and a little—[*Interruption*]

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 tomorrow, that is Wednesday, the 27th of June at 1.30 p.m. During that sitting, we will be taking through all its stages the Corporation Tax (Amdt.) Bill, and time permitting we will commence debate on the electronic Payments into Court Bill.

[*Cellphone rings*] That is on the Order Paper also.

Madam Chairman: It is only because we are nearing the end of the sitting that I will not take action on that last issue. Hon. Senators, before I put the question on the Adjournment, leave has been granted for two matters to be raised. Sen. Mark.

Powers of Arrest

(T&T Defence Force)

Sen. Wade Mark: Thank you very much. [*Desk thumping*] Madam President, thank you very much. I rise to address a very burning question or matter facing Trinidad and Tobago and that has to do, Madam President, with the rise and the escalation in crime and criminality in Trinidad and Tobago, and the need for the Parliament of Trinidad and Tobago to give consideration to a proposal that the Leader of the Opposition, the hon. Mrs. Kamla Persad-Bissessar, former Prime Minister of our Republic had suggested.

Madam President, there is no doubt that the crime tsunami has overwhelmed the police service to some extent, and there is need for help for the police service and, Madam President, this is manifested by the Government listening and sometimes taking action to employ joint police and army patrols throughout hot spots or hot spot areas of our country.

The joint police army patrols which have been going on for several years as you know, Madam President, do not provide the soldiers with the avenue to institute action against persons who might be engaged in unlawful activities or who are breaking the law, and we believe that the time has come, given the fear that has injected the society—the growing threat to the citizens' safety and security—for the Government to consider, Madam President, looking, once again, even if, Madam President, it is on a temporary basis—even if you have to bring legislation and we have to invoke and establish a sunset clause—but in the interest of stability,

in the interest of national security, in the interest of public safety, it is important, imperative and critical that the Government of Trinidad and Tobago look very critically and strategically at the whole issue, Madam President, of providing our soldiers with temporary powers of arrest.

The hon. Leader of the Opposition has made it very clear on several occasions that because of the crime tsunami in our country, and because of the need for us to put lives, people's lives, at the top of our agenda as a nation, we must do everything in our power to save lives, to save lives in our country.

Madam President, you would know that the rate at which we are going, if something is not done in a very radical way—if we do not take innovative approaches to our safety and security issues in Trinidad and Tobago—we may well end up, Madam President, with a crime statistic of over 550 murders in 2018. And, Madam President, we as a Parliament must do everything rather, in our power to save lives. And if we have 5,000 members of the defence force—soldiers, members of the coast guard, members of the reservist—and they are available to engage in joint police and army patrol, why not provide the legislative mechanism to assist law enforcement, to assist the police in dealing with the kind of criminal elements that we now have in our society running roughshod and rampant in our society.

So I have brought this Motion to the Parliament today to deal with the matter and to address the issue of rising criminality, growing fear. Madam President, there are many areas of this country where after 6.00 p.m. the society, the city, the area, the community shuts down. People are afraid to come out of their homes after 6.00 p.m. I am in the Belmont community and this is what the people are saying there as well, whereas Madam President, in the years gone by, people could

have come out 6.00, 7.00, 8.00 and 9.00 in the night to lime.

Sen. Baptiste-Primus: You live Belmont?

Sen. W. Mark: Yes. My family, my aunt. [*Crosstalk*] So Madam President, I am saying to the hon. Minister, Leader of Government Business, that the time has come when it comes to the issue of crime, you and I know crime has no complexion. Bandits and so on do not distinguish between PNM or UNC or COP or PEP. It does not matter who, Madam President. When they come, Madam President, they are almost without feelings in the way that they deal with human beings in our society. And, therefore, I believe that it is important for heads to be brought together to deal with this crime crisis that we have in our nation.

And whilst I know that some people might be a bit reluctant, there may be reservation about giving the army or the regiment as it is called, and the coast guard personnel power of arrest. We are saying that we can do so, but put it on a temporary basis. If you bring legislation, put a sunset clause so it would be done for a period of time so that the people of this country can exhale, they can breathe easily, a little more easily than they are breathing today.

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

Sen. W. Mark: So this is why, Madam President, we have brought this matter for the attention of the Parliament and the Government to get a perspective from the Government, as to whether this proposal, this suggestion, is one that they are willing to embark upon, take on board, and the Leader of the Opposition along with the Prime Minister can meet and treat with that through legislative proposal or measure. I thank you, Madam President.

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Madam President, thank you for allowing me the opportunity to

respond to this Motion. Madam President, I am on record as expressing concern, like many of us in here, about the issue of crime, and nothing I say should make it look as though I am not interested in fighting crime or not concerned about what is happening out there.

But, Madam President, I was very surprised at my colleague, Sen. Mark, because I reflected on 2016 when the Government brought what I thought was important far-reaching anti-crime legislation, which was legislation to extend the life of the law that dealt with gangs and the denial of bail to certain categories of persons, and the Opposition—that was their own legislation that received our support when we were in Opposition, and the Opposition steadfastly refused to support the legislation. And to deal with that, the Government returned with legislation that was focused on anti-gangs provisions only, and we did not extend or we were not able to extend the restrictions on bail.

And I am very surprised because, across the country, particularly the Trinidad and Tobago Police Service, had expressed the view that those restrictions on bail were helpful in keeping hardened criminals off the streets. So that is something that had worked, that was supported by law enforcement, and it did not get the support of the Opposition. And now Sen. Mark is asking us to bring to Parliament, something that has failed. I am surprised that he has not offered, in support of his Motion, a single measure of support for it outside the Leader of the Opposition. I do not know that the Leader of the Opposition is involved in crime fighting and law enforcement. I was expecting to hear that the Police Commissioner or somebody else, or the data, or a committee report had advocated, and I got nothing of that from Sen. Mark and I am not surprised.

On the 1st of March, 2013, a Bill was brought to Parliament, laid in the

House, No. 4 of 2013, an Act to amend the Defence Act, Chap. 14:01. Madam President, yesterday in the other place and today we introduced a Bill, what we call the NIF Bill, which is just two clauses. Well, this Bill was just two clauses, and there were more speakers on the Bill than words in the Bill. [*Laughter*] When the Bill was laid in the House, there were 24 speakers stretching over four sessions. The Bill was passed, and when the Bill made it to the Senate, there were 18 speakers over four sessions, and this Bill with fewer words than speakers, died, failing to attract the support in this House for a number of reasons and funny enough, Sen. Mark is now asking us for a sunset clause. That would have been a few more words in this Bill, because that was not in this Bill.

So this has been tried, bringing it to Parliament. There is no support for it, and there are a number of reasons, ranging from constitutional to the absence of data. And the strength of it when it was brought, was reliant on the Jamaican experience, and it did not take us long in that time in Opposition to use the word that has been used today a lot, “to debunk” the idea that the Jamaican model was likely to work.

Madam President, also in 2013, my friends on the other side, were part of a Joint Select Committee appointed to enquire into and report on Government Ministries and so on, and they examined the Trinidad and Tobago Police Service. On that Committee there were seven Government representatives, two Independents and three Oppositions. Sen. Small may remember his stint on that committee. And, Madam President, that Committee examined, during the month of May 2013, the Trinidad and Tobago Police Service, and rendered a voluminous report, and among the recommendations, the Committee was set up to look into nine aspects of the Trinidad and Tobago Police Service and identified eight

strategies for improving the performance of the police service. And, Madam President, nowhere in that report, and nowhere in the consideration, was there anything about giving the defence force powers of arrest. That did not arise.

So in 2013, the Bill failed, and their own committee on which they had the majority, could not elicit from anybody in Trinidad and Tobago, on a discussion of the work of the police service, the need to provide additional support through powers of arrest to members of the defence force. What the report did, in fact, say and what this Government acted upon, was the issue of the manpower strength of the police service, because nobody could say what is the strength required, and the report identified, apart from overall—and one piece of data struck me back then when I read the report in 2013, was a category called “not available”—there were 612 persons out of 6,285 officers. Madam President, 612 was simply not available due to extended sick leave, suspension, study leave or vacation leave. And when you got into the details, you saw that in some of the key areas of the police service, homicide for example, there was a deficiency of 90 per cent. In other words, there was only 10 per cent of the officers who were required, and this pointed to a significant issue of the manning of the police service, the people who have the powers of arrest, the absence of bodies—the absence of bodies in the places where you want them—and out of that, the Government commissioned a manpower audit of the police service which has generated, I believe, it is 82 or 89 recommendations, none of which involved giving the members of the defence force the power of arrest.

So, Madam President, in response to the Motion, I say that it is a myth. It is not supported. Even the mover of the Motion has not been able to anchor his Motion on anything beyond the Leader of the Opposition. When it was debated in

the two Houses, a major factor in that debate is that, again, there was nothing which said clearly, and in a credible way, that power of arrest to the defence force members would improve policing in any way and the Government believes that our most important law enforcement tool out there, is the Trinidad and Tobago Police Service over which we have some measure of support through resources and over which we have sometimes no control. But the point is that the persons who have the power of arrest right now are not using it sufficiently, and the idea is to get them through the Commissioner of Police and those charged with overseeing the police service, to do more in the fight against crime, and we do not believe that the time has come for members of the defence force to be given powers of arrest. I thank you. [*Desk thumping*]

**Port Authority Retirees Pension
(Government's Failure to Address)**

Sen. Wade Mark: Madam President, the second Motion deals—the second matter rather on the Motion, deals with the failure of the Government to address the issue of outstanding pension payments to retirees of the Port Authority of Trinidad and Tobago. Madam President, there are several citizens who have retired from the port several years now, and they are paid their pensions either on a monthly basis, some of them on a fortnightly basis, but they are paid. They are retirees of the port. Madam President, the last number I have could be in the vicinity of 493, it could be a little less but that is the last number I have. Their pension—and there are three pension plans at this Port Authority, and all were supposed to be administered by Colonial Life Insurance Company Limited, Clico.

There was, Madam President, an agreement to pay these retirees increased pensions, as well as COLA. I think the last time they experienced an increase in

pension and in COLA was in 2015, and since then to now, they have been struggling. Many of them have died seeking to have their pension increased as well as the enjoyment of COLA. Some pensioners on the port enjoy COLA payment, some of them have increased their pensions whilst others have not been able to enjoy any increases in their pensions and in their COLA.

Madam President, this matter was taken up sometime in 2017—that is, outstanding pension payments and cost of living allowances—and the Port Authority did advise in writing that these matters were currently engaging the attention of the board and management. That was since August of 2017. But the port, even though we know they are faced with a number of challenges, financial challenges, they did give an undertaking that they are committed to having a speedy resolution to these outstanding issues, namely outstanding pension payments and cost of living allowances.

But, Madam President, it is almost approaching one year from that date and no action has been taken to address these outstanding pension and cost of living allowances payments to these retirees. My information is that Clico which administers the pension plan, there remains an outstanding amount of monies owed to the Clico pension plan on behalf of these port workers. The information I have is that it crosses over \$40 million that the plan is short by. So there is a deficit. So the Port Authority is owing, according to information reaching me, the Clico pension plan or the Clico, based on these three pension plans, some \$40 million and above.

Madam President, I think that the time has come for the Minister of Works and Transport to honour the increased payments for the Port Authority retirees. As I said, many of them are passing on. They are dying every day or every year and,

therefore, they are not enjoying the benefits that they are entitled to. And I want to refer the Minister to the Port Authority Act, Chap. 51:01, sections 24, 25 and 26 of this Act, and it is Part III that deals with financial provisions.

So if it is, Madam President, the Port Authority does not have the funding to underwrite these pension plans by providing Clico with the relevant outstanding monies that are owed to Clico, then the Government can, in fact, go to the Port Authority Act and under section 24 of that Act, for the purposes of meeting their obligations to pensioners, as an example, the Government can, in fact, with the support of the Cabinet, secure a loan in order to meet these payments to these pensioners.

Madam President, you know, pension is an entitlement. It is a right that citizens enjoy, and it is very, very sad when I meet these elderly citizens who have retired from the port and who can hardly walk, and they are appealing for assistance, they are appealing for help, and no one is hearing them, no one is listening to them, no one is coming to their aid. Well, this evening I have decided to come to their aid. [*Desk thumping*] I am speaking on behalf of the Port Authority retirees, and I am asking the Government, the Minister of Works and Transport and the Minister of Finance to honour their obligations to these retirees of the Port Authority. They are entitled to increased pensions in accordance with their agreements. They are entitled to increased cost of living allowances in accordance with these agreements. Honour those outstanding agreements and outstanding pensions and cost of living allowances for these retirees.

And, Madam President, I would like to appeal to the Minister of Works and Transport, because we have spoken about this matter to take the necessary steps and measures to fulfil this obligation—

Madam President: You have under a minute, Sen. Mark.

Sen. W. Mark: Yes, Madam President. I am appealing to the hon. Minister of Works and Transport to do what is right, do what is necessary, to ensure that we honour the obligations of these persons and make sure that their pensions and cost of living allowances are honoured and satisfied. I thank you very much, Madam President.

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): Thank you. [*Desk thumping*] Thank you, Madam President. Madam President, again, let me from the onset dispel the perception being insinuated in this Motion that the Government is in debt in the form of outstanding pension payment to retirees of the Port Authority of Trinidad and Tobago. Madam President, there is no such debt on the books of the Port Authority, and it is very unfortunate that this Motion is crafted in a way to give this meaningless impression.

Madam President, I am advised that the Seamen and Waterfront Workers Union is the official representative body for all current and retired general staff of the Port Authority. However, a body now known as the "Port Retirees Pension Committee" has evolved as a group which is now considered the official lobby for the number of retirees who have pension-related grievances. I am also aware, Madam President, that one Wade J. Mark wrote the former Chairman of the Port Authority by letter dated July 28, 2017, in his capacity as a representative of the port retirees, calling for an expeditious conclusion to the outstanding issues within the shortest possible time.

6.30 p.m.

Madam President, I do not know, but I assume that given the personal interest in this matter, Sen. Mark, if he is that person named in the letter as the

author, should have declared his personal interest in this matter before piloting the Motion. [*Desk thumping*] The matter engaging the Senate is to address the business of people of Trinidad and Tobago and not to further one's private interest, but I will leave that for another discussion.

Madam President: Minister, I think you should restate whatever you have to say or move on, please.

Sen. The Hon. R. Sinanan: Madam President, in summary, this group is lobbying for an increase in pension payment by \$200 and \$350 monthly for 493 port retired pensioners, effective January 01, 2013, at a cost of approximately \$12 million. Even though this matter predates this present PNM Government, the records will show that the previous UNC Government did not address the issue when it was first raised since 2013. I have in my possession a Draft Cabinet Note dated 5th of June, 2015, under former Minister of Transport, and the previous UNC Minister did not see it necessary to advance this Note further.

Madam President, as mentioned earlier, the port Retirees Pension Committee is clamouring for monthly increases in their pension payment in accordance with the rules of the pension plan. I am advised that the rules state as follow:

- If a report by actuary shows a surplus beyond the requirements for the fund, such surplus or any part thereof, may with the consent of the employer and on the written advice of the actuary, either be set aside as a special reserve against future contingencies or be employed in increasing the pension and/or perspective pensioners of members of the fund.
- By employing a reduced in the contribution of the employees and/or contributing member.

Madam President, I was advised that the pension committee was informed

previously by a report from the actuary that two of the port pension plans, namely the port contractor's monthly-paid plan and the Port Authority weekly daily-paid plan were in deficit, and one port contractors' weekly and daily-paid plan was in surplus. The approximate cost to providing a pension increase of \$200 and \$300 per month effective from January 01, 2013, is an additional liability of approximately \$3.7 million to \$8.8 million, in addition to a back pay of \$2.4 million. The Port Authority has previously indicated to the Pension Committee that it is not in a financial position to finance the pension increase under the terms of the pension plan and cannot commit to an annual increase in liability with regard to the pension plan.

Madam President, under this Government and under the PNM-appointed board of the commissioners, I am advised that the Port Authority is making all efforts to settle all outstanding employee contributions to its pension fund while outstanding employee contributions have been brought up-to-date. These were due and owing since 2014. Despite the fact that this issue of pension payment increases has been engaging the Authority since 2013 under the UNC Government, nothing was done to settle this matter by the UNC.

I am happy to report to the national community that I have been advised that this matter will be on the agenda for discussion and resolution at the next meeting of the board of commissioners of the Port Authority.

Madam President, it is very important to remind the Senate that the last increase in pension payment was made under a PNM Government in 2006. This payment was in the form of an ex gratia payment at a total cost of \$28,673,967. Madam President, nothing happened under the UNC Government on this matter. This PNM Government is once again decisively addressing the request of the port

retirees. We are committed to settling all issues regarding outstanding payments to the pension fund which occurred under the UNC, and we are now about to address the issue being raised by these retirees.

We have managed to do this and more in just under three years—the Government—and we commit to address all other issues of the port retirees in an expeditious manner, and in keeping with our existing financial circumstances. As we have constantly done, whenever the PNM is in Government, Madam President, very soon once the board of the port arrives at a position on this issue, the matter will be taken to Cabinet and a decision will be made in the best interest of the retirees and the nationals of Trinidad and Tobago.

This Motion is therefore skewed and out of order, because the records will show that this matter is finally receiving full attention of the Port Authority under this PNM Government. I thank you. [*Desk thumping*]

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 6.35 p.m.