

HOUSE OF REPRESENTATIVES

Friday, March 04, 2022

The House met at 1.30 p.m.

PRAYERS

[MR. DEPUTY SPEAKER *in the Chair*]

**LEAVE OF ABSENCE**

Mr. Deputy Speaker: Hon. Members, I have received communication from the hon. Shamfa Cudjoe, MP, Member for Tobago West who has requested leave of absence for the period March 5th to 16th and from the hon. Ayanna, Webster-Roy, Member for the Tobago East. Mr. Davendranath Tancoo, MP, Member for Oropouche West and Mr. Dinesh Rambally, MP, Member for Chaguanas West, who have requested leave of absence from today's sitting of the House. The leave which the Members seek is granted.

PAPERS LAID

1. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Chaguanas Borough Corporation Mayor's Fund for the year ended September 30, 2015. [*The Minister of Finance (Hon. Colm Imbert)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Chaguanas Borough Corporation Mayor's Fund for the year ended September 30, 2016. [*Hon. C. Imbert*]
Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Chaguanas Borough Corporation Mayor's Fund for the year ended September 30, 2017. [*Hon. C. Imbert*]

UNREVISED

3. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Chaguanas Borough Corporation Mayor's Fund for the year ended September 30, 2018. [*Hon. C. Imbert*]
4. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Chaguanas Borough Corporation Mayor's Fund for the year ended September 30, 2019. [*Hon. C. Imbert*]
5. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Chaguanas Borough Corporation Mayor's Fund for the year ended September 30, 2020. [*Hon. C. Imbert*]
6. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Public Transportation Service Corporation for the year ended September 30, 2017. [*Hon. C. Imbert*]

Papers 1 to 7 to be referred to the Public Accounts Committee.

7. Ministerial Response of the Ministry of Finance to the First Report of the Public Accounts Committee on the Follow-up of the Implementation of the Recommendations made in the Twenty-Fifth Report of the Public Accounts Committee on an examination of the Audited Financial Statements and Internal Controls of the NLCB for the years 2008 – 2012. [*The Minister of Planning and Development (Hon. Camille Robinson-Regis)*]
8. Ministerial Response of the Ministry of Education to the First Report of the Joint Select Committee on Human Rights, Equality and Diversity on an inquiry into the Right to Equal Access to Education with specific focus on the Underachievement of Schools in the Port-of-Spain and Environs District with respect to Performance in Terminal Examinations. [*Hon. C. Robinson-Regis*]

9. Ministerial Response of the Ministry of Digital Transformation to the Second Report of the Public Accounts Committee on an Examination of the Report of the Auditor General on the Public Accounts of the Republic of Trinidad and Tobago for the Financial Year 2020. [*Hon. C. Robinson-Regis*]
10. Ministerial Response of the Ministry of Digital Transformation to the Third Report of the Public Accounts Committee on an Examination of the Follow-up on the implementation of the recommendations made in the Twenty-Second Report of the Public Accounts Committee on the Examination of the Audited Financial Statements of the Telecommunications Authority of Trinidad and Tobago for the Financial Years 2010 to 2016. [*Hon. C. Robinson-Regis*]
11. Ministerial Response of the Ministry of Digital Transformation to the First Report of the Joint Select Committee on Social Services and Public Administration on an inquiry into the effects of the hybrid learning system on student performance in Government and Government-assisted schools during the revised COVID-19 restrictions. [*Hon. C. Robinson-Regis*]
Family Proceedings (Amendment) Rules, 2022. [*The Attorney General and Minister of Legal Affairs (Hon. Faris Al-Rawi)*]

URGENT QUESTIONS

Paria Fuel Trading Company Incident (Prevention of Occurrence)

Mr. David Lee (*Pointe-a-Pierre*): Thank you, Madam Speaker. Madam Speaker, to the Minister of Energy and Energy Industries: Will the Minister indicate what urgent steps have been taken by Paria Fuel Trading Company to prevent any reoccurrence of the tragedy of Friday 25 February, 2022?

Hon. Members: [*Desk thumping*]

UNREVISED

The Minister of Energy and Energy Industries and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, allow me to use this forum to place on the Hansard the deep sense of sadness and our condolences to the family members, colleagues, friends of the four divers who tragically lost their life, resulting out of an accident that occurred when they were working for their employer LMCS at Paria's facilities last Friday. Additionally, we wish well, to the one diver who is in the ordeal, but survived, and a speedy recovery to Mr. Boodram.

Mr. Deputy Speaker, all major project and non routine operations have been suspended and operations are limited routine maintenance and operations as was happening before restarting any project or non routine work, an external independent review will be done on all risk assessments, methods, statements, hazard analysis, prior to the authorization of work permits internally at Paria, including when dealing with subcontractors. A meeting with all contractor employees will be held and safety orientations will be redone for all employee contractors. Additionally, LMCS has been taken off of all work on the pipelines at Paria for the time being.

Mr. Deputy Speaker: Supplemental, Member for Pointe-a-Pierre.

Mr. Lee: Thank you Mr. Deputy Speaker. Minister, could you confirm based on the response of the steps being taken if the health and safety division of Paria has been subcontracted out to a private company?

Mr. Deputy Speaker: Minister of Energy and Energy Industries.

Hon. S. Young: Mr. Deputy Speaker, if I had that question previously I may have been able to seek the appropriate response for Paria, I do not have the answer to that.

Mr. Deputy Speaker: Supplemental, Member for Oropouche East.

Dr. Moonilal: Thank you very much. Minister, in light of your response earlier, could you identify the external team that is undertaking the risk assessment that you spoke about earlier.

Mr. Deputy Speaker: I would not be entertaining that question at this time. Supplemental, Couva South.

Mr. Indarsingh: Minister, taking into consideration that you have suspended or Paria suspended LMCS doing further work within the confines of Paria, why a similar decision has not been taken as it relates to current office holders in relation to the management structure when this accident occurred?

Mr. Deputy Speaker: Minister of Energy and Energy Industries.

Hon. S. Young: Thank you very much. Mr. Deputy Speaker, for the record, it is not the Minister of Energy or anyone at the Ministry of Energy who has taken any of these decisions with respect to Paria's operations, and how they are treating with their subcontractors. Secondly, I am not aware of what decisions may be under consideration by the board, management at Paria. At this time, what I am aware of is that there have been no—nothing has been sent to me with respect to the removal of any officers and not that that needs to be sent to the Ministry of Energy.

**#36 Sealine Riser on Berth #6
(Deaths of Divers)**

Mr. David Lee (*Pointe-a-Pierre*): Thank you, Mr. Deputy Speaker. Question No. 2 to Minister of Energy and Energy Industries: Based on preliminary reports, will the Minister advise this House what transpired on February 25, 2022, at #36 Sealine riser on Berth #6, which led to the death of four divers?

Mr. Deputy Speaker: Minister of Energy and Energy Industries.

The Minister of Energy and Energy Industries and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Mr. Deputy

Speaker. Mr. Deputy Speaker, as I said at a press conference on Monday gone and as I repeated at a post Cabinet press conference yesterday, and now I appreciate the opportunity to put it on the record here, the Government will not speculate or make any assumptions with respect to what may or may not have happened that led up to this tragic accident, where unfortunately, four of our nationals have lost their lives. What we have done, which is within the purview of the Government and in particular, the Ministry of Energy and Energy Industries, is we have appointed under the umbrella of being the regulator of the industry, Ministry of Energy and Energy Industries, a five-man panel that as I said will be chaired by Mr. Shiv Sharma as the Chairman and will have the appropriate experts, two of whom have already been named, with representatives from BP and Shell as well. Let us await, respectfully, it is prudent to await the outcome of that investigation. There is nothing further that can be said at this stage or will be said by the Government with respect to this question at this stage.

Mr. Deputy Speaker: Member for Pointe-a-Pierre.

Mr. Lee: Thank you, Deputy Speaker. Minister, based on what you just—the response, you have said BP and Shell will be part of that five member committee. Could you say if it is comfortable at BP and Shell being part of that investigation team would want to be under international scrutiny given that they are private companies?

Mr. Deputy Speaker: Minister of Energy and Energy Industries.

Hon. S. Young: Mr. Deputy Speaker, I certainly cannot speak for either BP or Shell, what I can say is we are very careful and I have been very careful in the choice of language in saying that there will be representatives nominated by those two companies. Unfortunately, accidents happen in the oil and gas industry across

the world from time to time so, I am sure this is something that they would give consideration to.

Mr. Deputy Speaker: Member for Pointe-a-Pierre, I have Couva South and then I also have Oropouche East, guide me? Couva South, Oropouche East. Member for Oropouche East.

Dr. Moonilal: Thank you very much. Minister, in light of the constitution of that committee to investigate, would the Minister deem it appropriate to also include any impartial, independent international experts, as opposed to persons connected to multinational oil companies that are routinely working with the Government of Trinidad and Tobago?

Mr. Deputy Speaker: Minister of Energy and Energy Industries.

Hon. S. Young: As is apparent from the composition of the panel the five member team of that panel are independent professional experts, independent of the Government, and independent of all operations that may have led to this tragic accident last week Friday. There is no concern whatsoever with the composition of the panel and any lack of independence or expertise on their parts.

**Families of Divers-Paria Fuel Trading Company
(Assistance to)**

Mr. David Lee (*Pointe-a-Pierre*): Thank you, Mr. Deputy Speaker. Will the Minister advise what steps have been taken by Paria Fuel Trading Company to assist the families of the four divers who died following the incident on February 25, 2022?

The Minister of Energy and Energy Industries and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, Paria's initial response was to ensure that the families impacted by the tragedy received appropriate or had available to them

appropriate counselling services. A traumatologist, Mr. Hanif Benjamin, of the Center for Human Development, and PEAPSL have been engaged to provide counseling services to the dependents of the divers. This offer was initially made on the 26th of February, 2022, and continues to be available should the family wish to utilize this service. The service was initially offered to the dependents for a period of one year and will be extended as required. Paria continues to communicate with the families daily to determine how it can further support them during this time.

Mr. Deputy Speaker: Supplemental, Member for Pointe-a-Pierre.

Mr. Lee: Thank you, Minister, as a follow up, do you know based on your response, if any of the families have taken that offer of counselling?

Mr. Deputy Speaker: Minister of Energy and Energy Industries.

Hon. S. Young: Mr. Deputy Speaker, I would not be able to say so with any degree of certainty at this time.

ANSWERS TO QUESTIONS

Mr. Deputy Speaker: Leader of the House.

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, there are three questions for oral response. We will be answering all three. There are no questions for written response.

ORAL ANSWERS TO QUESTIONS

Sahai Trace, Princes Town Landslips (Provision of Funding for)

74. Mr. Rodney Charles (*Naparima*) asked the hon. Minister of Rural Development and Local Government:

In light of the worsening condition of the landslips along Sahai Trace, Princes Town, will the Minister provide a timeframe within which funding will be provided to the Princes Town Regional Corporation to address said issue?

The Minister of Planning and Development (Hon. Camille Robinson-Regis):

Thank you very much again, Mr. Deputy Speaker. Mr. Deputy Speaker, on behalf of the Minister of Rural Development and Local Government, the Ministry of Rural Development and Local Government has conducted preliminary site investigations on the landslips along Sahai Trace, Princes Town. Having reviewed the magnitude and cost of the work involved, the Ministry intends in this instance, to undertake the necessary road restoration work using a special purpose state enterprise. The Ministry has already requested and received confirmation of the availability of funds in the sum of \$2,200,000 for this project. It is anticipated that barring unforeseen circumstances the work will commence within the next two to three months. Thank you, Mr. Deputy Speaker.

**COVID-19 Income Support Grant Phase 1
(Number of Uncollected Cheques)**

75. Ms. Vandana Mohit (*Chaguanas East*) asked the hon. Minister of Social Development and Family Services:

Will the Minister inform the House of the total number of uncollected cheques for Phase 1 of the COVID-19 Income Support Grant project?

The Minister of Planning and Development (Hon. Camille Robinson-Regis):

Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, on behalf of the Minister of Social Development and Family Services, I wish to respond that as at February 08, 2022, the Ministry of Social Development and Family Services has 84 uncollected cheques altogether, for both COVID-19 phases one and two. This

comprises 65 uncollected cheques related to phase one and 19 related to phase two. Advertisements on the Ministry's social media platform, website and the print newspapers have indicated the names of the recipients of those cheques and the time period for collection on July 17, 2021; October 6th and 8th, 2021; November 22nd and 23rd, 2021, and January 25th and 26th, 2022. Additionally, this information was shared with communications practitioners to be disseminated on their respective platforms and networks. Thank you very much, Mr. Deputy Speaker.

Mr. Deputy Speaker: Member for Chaguanas East.

Ms. Mohit: Thank you, Mr. Deputy Speaker, and to the Minister responding—can you state whether apart from the publishing in the newspaper and social media platforms, whether contact has been made with these persons that you indicated are still awaiting or would have not collected their cheques?

Mr. Deputy Speaker: Leader of the House.

Hon. C. Robinson-Regis: Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, in these circumstances, it is the norm for the Ministry to make contact with these persons and we have done that. The Ministry has done that and we still await the collection by these persons. But, Mr. Deputy Speaker, let me also indicate that after a time these cheques will become stale dated, thank you.

Mr. Deputy Speaker: Supplemental, Member for Chaguanas East.

Ms. Mohit: Thank you, Mr. Deputy Speaker. Minister, given the fact that sometimes you may have issues with access and so on, can you state whether the Ministry is considering distributing these cheques from the regional offices, so that it can be closer to those persons who may not have collected?

Mr. Deputy Speaker: Leader of the House.

Hon. C. Robinson-Regis: As is the norm, these cheques usually are at the regional offices to allow for easy collection.

Mr. Deputy Speaker: Supplemental, Member for Chaguanas East.

Ms. Mohit: Mr. Deputy Speaker, given the fact that these uncollected cheques when published was stated that it has to be collected at the head office in Port of Spain, hence, the reason I asked the question—will it be considered or as of today would the Ministry be considering distributing from the regional offices?

Mr. Deputy Speaker: Has that not been answered? Okay, go ahead Leader of the House.

Hon. C. Robinson-Regis: The norm, as I said, the norm is for them to be at the regional offices. But once we—a period of time passes and they remain uncollected, the only thing that we can do is bring them back to the head office and then the persons have to collect from the head office. So at this time, there is no consideration being given because we have advertised that these cheques are available and they continue to be at the head office.

Mr. Deputy Speaker: Supplemental, Member for St. Augustine, last one.

Ms. Ameen: Yes, thank you, Mr. Deputy Speaker. Through you to the Minister. The question is, with regard to uncollected cheques that become expired, could you for the information of the public advice, what would be the procedure for those cheques that become stale dated, because some—the dates have passed?

Hon. C. Robinson-Regis: I apologize, Mr. Deputy Speaker, I did not hear the question. Could you repeat?

Mr. Deputy Speaker: Member for St. Augustine.

Ms. Ameen: Could you indicate for information of the public what would be the procedure for those cheques that do become stale dated before they are collected?

Mr. Deputy Speaker: Leader of the House.

Hon. C. Robinson-Regis: Mr. Deputy Speaker, it would be like any other stale dated cheque. The person will have to come and indicate that there was a cheque

for them and then we would renew the cheque. That is a normal procedure in banking, Mr. Deputy Speaker.

[MADAM SPEAKER *in the Chair*]

**Madras/Chin Chin Roads, Cunupia
(Commencement of Remedial Work)**

78. Mr. David Lee (*Pointe-a-Pierre*) on behalf of Dr. Rishad Seecheran (*Caroni East*) asked the hon. Minister of Works and Transport:

Will the Minister inform the House when remedial work will commence on the following:

- a) Madras Road in Cunupia; and
- b) Chin Chin Road in Cunupia?

The Minister of Planning and Development (Hon. Camille Robinson-Regis):

Thank you very much, Madam Speaker. On behalf of the Minister of Works and Transport, tenders were invited for these works resulting in an award of contract for sectional road rehabilitation along Madras Settlement Road, zero kilometre mark to 4.3 kilometre mark. It is anticipated that works will commence in late March 2022. Chin Chin Road from Southern Main Road to the Las Lomas No. 1 Road, is 6.5 kilometres in length and is considered to be in a fair condition. Localized effects are currently addressed periodically using the in-house resources of the Ministry of Works, Caroni district. More significant rehabilitation works are proposed to begin around the beginning of the third quarter of this year subject to availability of funds. Thank you very much, Madam Speaker.

Madam Speaker: Leader of the House.

ARRANGEMENT OF BUSINESS **The Minister of Planning and Development (Hon. Camille Robinson-Regis):** Thank you very much, Madam Speaker. Madam Speaker, we do have a statement by the hon. Prime Minister.

Madam Speaker, there is agreement that we will—that the Prime Minister will be allowed to speak to the conclusion of the statement. Thank you very much.

Madam Speaker: Prime Minister.

Hon. Members: [*Desk thumping*]

STATEMENT BY MINISTER

Coronavirus 2 (SARS-CoV-2)

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, I want to thank my colleagues for the opportunity to speak to the conclusion of this statement. Madam Speaker, I have been authorized by the Cabinet to make the following statement. It was on 31 December, 2019, that the World Health Organization, commonly called the WHO, learned of a cluster of cases of viral pneumonia of unknown cause in Wuhan, China. This unknown virus spread exponentially throughout Wuhan. Scientists began to take note, and were making enquiries of the WHO about the novel virus that appeared to be spreading rapidly amongst the human population in Wuhan and other areas of China. At the time, Madam Speaker, little was known about this infectious pathogen but what became quickly discerned was that it was causing a respiratory illness and was spreading from person to person via respiratory droplet infection. It was determined that the virus had an incubation period of about 14 days.

Madam Speaker, this virus was later identified as belonging to the Coronavirus family. It was subsequently officially named and I quote:

“Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2)”
and the disease which it caused was named “COVID-19”.

In January 2020, the Government began via the Ministry of Health to sensitize the population about growing concerns surrounding this virus that was spreading at a frightening rate in China. On January 30, 2020, WHO declared the

COVID-19 outbreak, a public health emergency of international concern, this is WHO's highest level of alarm. Internationally, Madam Speaker, eyes were fixed on the events rapidly unfolding in China and nations began to prepare for the possibility of global spread. The Government of Trinidad and Tobago was the third in the world to begin by taking precautions and implementing entry restrictions on persons travelling from China within the previous 14 days. This was done on January 30, 2020, and the decision did not sit well with some people who thought that we were overreacting.

On March 11, 2020, the WHO declared COVID-19 a pandemic. At the time, the virus had been detected in 114 countries and over 4,000 persons had already lost their lives, and there had been more than 118,000 confirmed cases reported globally. It was the first pandemic ever caused by a coronavirus. This virus has claimed almost five million lives worldwide and continues to claim lives.

Madam Speaker, we also took an early decision to build out what has become known as our parallel health care system to handle COVID-19 cases separately from the rest of the public health care system. In order to operate such a system, the following facilities were and are mostly still dedicated to serving COVID infected persons. And I refer here, Madam Speaker, to Caura Hospital, Couva Hospital, Arima General Hospital, Augustus Long Hospital, St. Ann's Hospital, Scarborough Regional Hospital, Scarborough General Hospital, Point Fortin Hospital, St. James Medical Complex, the field hospital at Couva, the Port of Spain field hospital and the Point Fortin Area Hospital.

2.00 p.m.

COVID-19 step-down facilities were also established at UTT Valsayn, Debe Step-Down Facility, Tacarigua Racquet Centre, Ray of Hope, Lowlands Tobago.

Madam Speaker, this far-reaching decision has saved many lives and fortunately to date, we have maintained our public health care system without it collapsing under the enormous strain of COVID-19 during the various surges we experienced.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: It was one day after WHO declared COVID-19 a pandemic, on the 12th March, 2020, that we recorded our first case; it was an imported case.

Madam Speaker, we have been responding to the COVID-19 virus in Trinidad and Tobago for over two years. The Government, and indeed the population, has had to make numerous adjustments over time at various intervals, as we literally battled the pandemic and the effects of the virus. Our people have shown resilience as we navigated the unknown.

At all times, the Government's response to, and management of the effects of COVID-19 has been guided by the available scientific information and analysis as well as a desire to preserve lives. We have relied on the advice of our team of expert public health care professionals under the leadership of our Chief Medical Officer, Dr. Roshan Parasram, the guidance and learnings from WHO/PAHO and our observations and analyses of the effects of the virus on other countries and the various responses thereto.

Madam Speaker, as Prime Minister, over the past two years, on numerous occasions, I have addressed the population on our management and various responses to COVID-19. I have done so in the Parliament via addresses to the nation and via regular press conferences. It was not too long ago, Madam Speaker, in December 2021, that we were actually in the midst of the largest surge of positive cases that Trinidad and Tobago has seen to date since the onset of the pandemic. This significant surge in COVID-19 confirmed positive cases was

brought on by the emergence of the Delta Variant of Concern, which has demonstrated to be a formidable variant of the COVID-19. Delta proved to be more virulent, causing more severe disease manifestations. It translated into large increases in hospitalisations and deaths amongst our population. It was also characterized as being more transmissible than all of its predecessors. It is estimated, Madam Speaker, that one person infected with Delta is able to transmit the virus to approximately five to eight other persons.

Trinidad and Tobago began to detect the Delta Variant at the community level in early September 2021, and the trend of increasing hospital occupancy was confirmed from October 17, 2021. In Trinidad and Tobago, at the height of the surge, the highest levels of activity were experienced during the month of December. The seven-day rolling average of new cases peaked at 795 on December 09, 2021, while the seven-day rolling average of new deaths peaked at 27 on December 24, 2021. These deaths, Madam Speaker, remained largely among persons over 60 years of age with multiple comorbidities, for example, diabetes, high blood pressure and hypertension, particularly those who were unvaccinated.

The parallel health care system and accident and emergency departments also recorded their highest occupancies during the month of December 2021. The highest number of patients at the accident and emergency departments was recorded on December 15, 2021 at 8.00 a.m., with 212 patients being present within the ten accident and emergency departments. The highest national occupancy levels, 84 per cent, was noted on the 23rd of December, 2021. The total number of patients in the parallel health care system was 755 representing 84 per cent of overall occupancy, with five times as many patients requiring high acuity care. On the 23rd of December, 2021, there were 168 patients being managed in the accident and emergency departments. In total, the public health sector was

managing 923 patients with confirmed COVID-19. Our public health care system was indeed stretched.

Madam Speaker, I pause here, once again, to place on record, our gratitude to all of the health care workers who worked tirelessly from March 2020 to date and, in particular, during the surges to treat patients with COVID-19 who required various levels of hospitalization.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: Madam Speaker, I am sure all of us in this Chamber, would like to say thank you.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: I thank also all front line workers, and not only our health care workers, but all those who have kept Trinidad and Tobago going during this pandemic, ensuring that our essential services functioned, from electricity and water to security and food production. [*Desk thumping*]

Madam Speaker, peak intensive care unit capacity, 97 per cent, was recorded on December 18, 2021, with 78 of the 80 beds being occupied in the parallel health care system. At the accident and emergency departments, Madam Speaker, 26 of the 29 ICU beds, that is 90 per cent, were also occupied, leaving us with five beds available on that particular day.

Added to the presence and danger of the Delta Variant of Concern, on November 26, 2021, the world, through the diligent work of South African scientists, became aware of a new variant which soon thereafter, became the fifth variant of concern known as Omicron. In the very early days following its detection, little would have been scientifically determined regarding its disease traits, however, it was soon discovered that it was certainly more transmissible than Delta, which was also the dominant strain in Trinidad and Tobago at that

time. Research efforts also subsequently determined the Omicron Variant of Concern as having an increased secondary attack rate, and information regarding its virulence in the early stages was not immediately known.

Given what we were experiencing with Delta in mid-December and given the observed characteristics of Omicron, there was great fear and trepidation as to what might be in store for us as Omicron inevitably take hold. In anticipation of the arrival of Omicron to our shores, on top of the presence of Delta, we knew that this new variant posed a significant threat, and we anticipated that the number of hospitalizations and commensurately the number of deaths would be likely to increase exponentially.

Madam Speaker, as we had done throughout the pandemic, we stayed in constant contact and interrogation with our public health care professionals. We were being updated on the situation facing us, including, but not limited to, the hospitalization rates, vaccination efforts and suggestions as to possible management responses. As the days and weeks went by, new data surfaced, first from South Africa and then from the United Kingdom and other European countries where Omicron was quickly becoming the dominant strain, outcompeting other variants including where Delta was both in high and low circulation. This, therefore, led to a consistent and significant rise in the number of confirmed COVID-19 cases in these territories.

What quickly became evident, Madam Speaker, was that the severity of disease and thus the requirement for hospitalization in the adult population, as initially feared, thankfully, did not materialize with the highly infectious Omicron variant. However, with Omicron, there was an increase in the number of paediatric infections which subsequently led to an increase in hospitalization among children. This may have been attributed to the inherent vulnerability of this age group to

infection coupled with the fact that vaccination within this group was comparatively low. Madam Speaker, this was so because the WHO only granted emergency use listing, EUL, for the Pfizer vaccine for the 12—15 age group on June 15, 2021, and for the 5—11 year-old age group, on January 21, 2022.

Madam Speaker, in order to prepare for the worst outcomes, Trinidad and Tobago further expanded its ICU and HDU capacities, together with making preparations for a concomitant rise in the number of paediatric hospitalizations. By January 2022, the Omicron Variant of Concern had become the dominant strain in Trinidad and Tobago. At a global level, the month of January 2022, also saw the highest number of new weekly confirmed COVID-19 positive cases since the onset of the pandemic.

Of note, Madam Speaker, Trinidad and Tobago had not observed a sustained increase beyond Delta in terms of the number of cases, and thankfully to date, we have seen a significant decrease in the number of hospitalizations and deaths arising out of the new variant of concern. In fact, from December 23, 2021, onwards, a consistent but gradual decrease in hospital occupancy was noted. This encouraging trend caused us to hesitate and hold on any further drastic response even as we remained wary of the presence of the virus amongst the entire population.

In February 2022, the lowest occupancy levels in this current wave of COVID-19 were recorded. Over the past two weeks, Madam Speaker, overall hospital occupancy has steadily decreased from the benchmark of 40 per cent to 31 per cent as of March 01, 2022. Madam Speaker, from February 01 to 28, 2022, a similar trend had been noted across all levels of care, and all facilities, including the accident and emergency departments dedicated to the care of confirmed

COVID-19 patients. As of Tuesday 2nd March, 2022, the following occupancy levels were recorded:

- Overall national occupancy; 31 per cent
- Intensive Care Unit occupancy; 31 per cent
- High Dependency Unit occupancy; 32 per cent
- Ward level occupancy; 31 per cent

As at March 01, 2022, all facilities in the parallel health care system recorded occupancy levels well below the 75 per cent, which was the benchmark for alarm. As at 8.00 a.m. on March 01, 2022, within the accident and emergency departments of our parallel health care system, a total of only 15 patients were being managed, with zero ICU level patients. A consistent trend of decreasing admissions to the accident and emergency departments has been noted. Madam Speaker, thankfully, our worse fears have not been realized.

Besides the inherent traits of the Omicron variant, our public health care professional team believes that the following factors may have contributed also in some form or the other to the welcomed trends we have been observing in Trinidad and Tobago at this time. I speak here about: population vaccination. Trinidad and Tobago began its main vaccination drive in April 2021. By late 2021, we were seeing a slow uptake of vaccines and, to date, we continue to see a very slow uptake in the number of vaccinations received on a daily basis across both islands.

Despite our best and consistent efforts to ensure the availability of and accessibility to safe and effective WHO-approved vaccines, including employing various communication strategies, our progress in the continuation of vaccinating the unvaccinated in our population has been slow. This week, we were forced to destroy over a quarter of a million doses of Pfizer vaccines which had expired. Compare this, Madam Speaker, to the days in early 2021, when the unavailable but

highly desirable “gold standard” Pfizer vaccine, that vaccine was regarded as the saviour to take us out of the killing clutches of the deadly virus that was threatening to overwhelm us. This is after the vaccination level had virtually stalled at 50 per cent and, as of this week, 3,642 persons, citizens of Trinidad and Tobago, have lost their lives to COVID-19.

On average, Madam Speaker, the daily vaccination rate increases by 0.1 per cent, which is well below what we hoped for in the face of this continuing threat. However, we continue to make vaccines available and we continue to encourage people to get vaccinated and especially to get the booster to strengthen and prolong effective levels of immunity.

On a positive note, Madam Speaker, we are currently in the process of acquiring a new batch of paediatric Pfizer vaccines for the 5—11 age group so as to ensure that our children are well-protected once their parents agree to make use of those WHO approved vaccines. To this end, exploration has taken place via the Caricom Secretariat and CARPHA as well as through bilateral discussions. Madam Speaker, I signed the Caricom agreement on Trinidad and Tobago’s behalf a few weeks ago, and we look forward to the receipt of vaccines for our 5—11 year-old population sometime in the not too distant future.

Secondly, Madam Speaker, we speak here about population immunity. Population immunity is generated via two principal pathways; one, through vaccine-induced immunity and two, through naturally-acquired immunity following infection, with or without symptoms. Trinidad and Tobago achieved the feat of fully vaccinating 50 per cent of our population, 700,000 persons on February 19, 2022. That means, 50 per cent of our estimated 1.4 million inhabitants have either received two doses of a two-dose vaccine or one dose of a one-dose vaccine. We have also seen the continued rise of infections over the last

four months as previously identified. As at March 01, 2022, we stand at a total of 128,145 confirmed cases. It can be expected, Madam Speaker, based on our testing strategies—whereby symptomatic persons are tested predominantly aside from testing those for travel-related purposes and other special groups—that we can anticipate that a larger proportion of the population would have been infected than confirmed.

If one were to assume, for example, that for every one confirmed infected person, three other persons would also be infected but unconfirmed, we can extrapolate that approximately 30 per cent of the population has been infected with COVID-19. These factors taken together, Madam Speaker, in addition to the reduced severity and increased transmissibility profiles of Omicron compared to the Delta variant, may explain the continued high infection rates seen daily without the consequent rise in hospitalizations and deaths that had previously been anticipated.

Madam Speaker, that being said, the pandemic is not yet over. Our greatest threat remains the emergence of new variants of concern which can arise rapidly, and without warning, as has happened in many countries during the pandemic. We must remain cautiously optimistic, whilst at the same time, being highly vigilant and nimble in our response. To this end, we are currently well into the stage of living with this virus, that is, we are preparing to move from the acute phase of the pandemic into the endemic phase of COVID-19.

In addition to vaccines, we now have some new therapeutics to help us fight this disease and we are expecting additional therapeutics in the near future aimed at treating mild and moderate disease. Preparing for this endemic phase, we will be making adjustments to the parallel health care system. Madam Speaker, our parallel health care system has proven its resilience through the many waves of the

virus, and the people of Trinidad and Tobago can take comfort in the fact that it can be readily escalated, or de-escalated, based on specific needs. I can confirm that yesterday the Cabinet approved the Ministry of Health's recommendation for the consolidation, and de-escalation, of the parallel health care system, in preparation for the transition from the acute phase to the endemic phase of COVID-19 in Trinidad and Tobago.

As we guardedly begin this process of transitioning to the endemic phase of COVID-19, we would not like to ascribe any hard timelines yet, as we have learnt that circumstances can rapidly change which may necessitate consequent adjustments. In keeping with the general principles, and the advice of our public health care professionals we aim to transition from population-level controls to individual level responsibility. However, as a responsible Government, at this time, we cannot afford to abandon all our public health measures which have served us well throughout the course of the pandemic.

Madam Speaker, we are confident in the knowledge that after more than two years, the population has, for the most part, the wherewithal to navigate the vagaries of this pandemic. For some time now, we have considered and given increasing weight to the economic and social implications of how we respond to COVID-19. We have taken more risks as the population became more vaccinated. We re-opened most of our economy. We have been cautiously getting more and more of our children back into schools. Madam Speaker, we have been concerned, very concerned, about our children and their being out of the physical school environment for such a long and abnormal time.

I had hoped to be able to have all of our children back in their schools at the beginning of 2022 but, unfortunately, the surge of cases, and increased hospitalization in December 2021 prevented this from happening. Nevertheless, we

took steps and had our older children returned to school last term. We had recently seen our Forms 1 to 3 return to school and Standard 5 in the primary school system. This has been one of the more difficult restrictions for me to endorse as I desperately wanted all our children to return to their physical school environments at the earliest opportunity.

In short, Madam Speaker, at this point, Trinidad and Tobago has weathered another surge of the COVID-19 storm and we are in a reasonably good position. The Government has done all that it could reasonably have done and to have been expected to do to provide our citizens with adequate health care for those amongst us who contracted COVID-19 and required hospitalization. We secured adequate WHO-approved vaccines to vaccinate our population above the age of 12 years-old and for months, we have staffed and resourced mass vaccination sites to vaccinate and even provide timely booster shots for our population. We have tried every reasonable initiative to encourage those who are eligible to be vaccinated, get vaccinated. We continue and will continue so to do. When it is all said and done, Madam Speaker, as a Government, we are not masters but merely representatives of the people and with a hard to reach 50 per cent level vaccination, waning virility of the dominant Omicron Variant and large volumes of vaccines being dumped, the population is speaking very loudly how individuals wish to confront what is left of the pandemic experience.

Madam Speaker, during the course of the last two years, notwithstanding numerous unsuccessful legal challenges, we have used the Public Health Ordinance to implement regulations designed to protect and preserve lives. We have had to institute a State of Emergency to respond to COVID-19, at a time when the virus began surging, and we commenced and implemented our vaccination programme all aimed at managing the spread of the virus and its

negative effects on the population. Madam Speaker, I am satisfied that the Government of Trinidad and Tobago, which I have the honour and privilege to lead, has done all that it could reasonably have been expected to do to preserve lives and balance the restoration and preservation of our economy.

Hon. Members: [*Desk thumping*]

Hon. Dr. K. Rowley: We are now at another milestone moment as we decide how we respond to the virus and manage our living with the virus. It is time for us to allow for greater discretion and personal responsibility in the society. I expect that our national watchwords of “Discipline, Tolerance and Production” would guide our social behaviour as we go forward with living with COVID-19 and that the majority of our population will proceed with dignified restraint, and be mindful as we begin the process of lifting the remaining restrictions, we will be considerate of our brothers and sisters, and the fact that the virus, which unfortunately continues to claim lives, is still amongst us. We have agreed now to add “responsibility” to our list of watchwords. Common sense and COVID-19 demand it.

Madam Speaker, as we enter this phase of living with the virus and moving towards it becoming endemic, as it has already been declared in some other countries which were ravaged by their populations, we have taken the following decisions going forward. The retention of masking: Appropriate mask-wearing is an essential public health measure which should be retained, at this time, especially due to the circulation of the extremely infectious Omicron Variant which lends itself to aerosolization, and to significantly asymptomatic and mildly symptomatic disease.

In late December 2021, the WHO reemphasized its recommendation to maintain mask use in the face of Omicron. As such, mask use will remain in force, at this time, in all public spaces and places where there is public interaction.

- Public transport will be allowed to return to 100 per cent of capacity. Mask wearing will continue to be required in vehicles being used for public transport, including all vehicles in which persons are paying to be transported;
- Families will no longer be required to be masked in their vehicles. This change will also apply to marine vessels being used by families;
- We are removing restrictions with respect to the length of time and numerical capacity at religious places of worship. Mask wearing will continue to be required during services at religious places of worship;
- The number of persons permitted at graveside funeral services will be unrestricted but mask wearing is mandatory for the time being.

2.30 p.m.

For unvaccinated nationals returning to Trinidad and Tobago, a reduction in the quarantine time would be applicable. Quarantine time will be reduced from 14 days to 7 days with discharge taking place on the receipt of a negative PCR test on the seventh day. Madam Speaker, we will decrease the national quarantine time for contacts of positive cases from 14 days to 10 days. This would allow for increased productivity and a decrease in the likelihood of staffing shortages, especially amongst the essential services. Of note, the Ministry of Health recently reduced the isolation time for positive patients from 21 days in all categories to 10 days for persons with no symptoms, and 13 days for those with moderate to severe disease. They will be discharged in accordance with the discretion of the County Medical Officers of Health.

Public gatherings of persons in groups of no more than 25 is now to be permissible. The recommencement of team sports and contact sports is allowed. We will allow the establishments that are currently allowed to operate as safe

zones for vaccinated or exempted persons and children under the age of 12, to operate at 75 per cent capacity. Provided that we do not have dangerous changes in the COVID-19 position we will permit all children to return to physical schooling in term three. The Ministry of Education will continue to put out the necessary guidelines to safely manage this process.

As of Monday 07 March, 2022, the public service will return to full service and all public servants will be expected to return to work as normal. Additionally, Madam Speaker, the Ministry of Health will be presenting a national pathway for the consolidation of the public health service that would see the return to the health system, and by extension health services to an “as-near-normal” existence as the country transitions from the acute phase to the endemic phase of COVID-19. A structured risk-based approach will be adopted to gradually reduce the footprint of the parallel health care system and regularizing the hospital system. The proposal will be implemented on a phased basis based on real-time risk assessment, starting with Point Fortin. The Minister will give further details next week.

Madam Speaker, these initiatives will move us closer to the resumption of normal life and will be implemented via the Public Health Regulations where appropriate, starting with those instructions coming from Monday of the week ahead. We continue to navigate the pandemic and I trust that we will act responsibly and hopefully head towards COVID-19 becoming endemic in a population that has developed good immunity levels of protection naturally or vaccine induced.

Madam Speaker, the now known and experienced characteristics of the Omicron virus allow us to make these decisions, but make no mistake about it, even as we react to an almost endemic condition it is possible that a dangerous new variant could appear resulting in a swift review of these decisions because we are

still in a pandemic. We look forward to being able to confidently join others who have already declared the virus endemic but we must remain cautious as we move towards such time. Let us continue to be responsible. And, Madam Speaker, may God continue to bless Trinidad and Tobago.

Hon. Members: [*Desk thumping*]

Madam Speaker: Member for Oropouche East.

Dr. Moonilal: Thank you. Thank you very much, Madam Speaker. Pursuant to Standing Order 24(4), hon. Prime Minister, in light of the statement made, could you indicate at this time whether the Government has indeed climbed down on its position of mandatory vaccination in the public service?

Madam Speaker: Prime Minister.

Hon. Dr. K. Rowley: Madam Speaker, that will be caught up with what I said when I said that given the surprisingly good result and the behaviour of Omicron that we have placed hold on drastic actions because the circumstances have changed drastically between mid-December and March.

Hon. Members: [*Desk thumping*]

ADJUSTMENT OF SPEAKING TIME

Madam Speaker: Leader of the House.

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Madam Speaker, notwithstanding the resolution of the House on Wednesday, September 15, 2021, in relation to the speaking time during the period of the COVID-19 pandemic, I beg to move that for the debate on Bills Nos. 2 and 3 only the speaking time be as follows: the mover and first responder, a maximum of 45 minutes; all other speakers, a maximum of 30 minutes; and the mover in reply, a maximum of 30 minutes, all with no extension. Thank you, Madam Speaker.

Question put and agreed to.

**NATIONAL ACADEMY FOR THE PERFORMING
ARTS BILL, 2022**

Order for second reading read.

The Minister of Tourism, Culture and the Arts (Sen. The Hon. Randall Mitchell): Madam Speaker, I beg to move:

That a Bill entitled an Act to provide for the establishment of the National Academy for the Performing Arts and for the management and control thereof and for related matters be now read a second time.

RELATED BILLS

The Minister of Tourism, Culture and the Arts (Sen. The Hon. Randall Mitchell): Madam Speaker, in accordance with Standing Order 50(1), I seek the leave of the House to debate together with this Bill the Southern Academy for the Performing Arts Bill, 2022, which relates to the same subject.

Assent indicated.

**NATIONAL ACADEMY FOR THE PERFORMING
ARTS BILL, 2022**

Sen. The Hon. R. Mitchell: Madam Speaker, it is indeed a signal honour for me to pilot these two Bills together to establish two bodies corporate to be known as NAPA and SAPA for the purpose of owning, managing, and operating the facilities known as the National Academy for the Performing Arts in the City of Port of Spain and the Southern Academy for the Performing Arts in the City of San Fernando. These Bills taken together are exact replicas of each other and will both seek to address a number of inefficiencies and issues that have plagued both NAPA and SAPA since inception. And, Madam Speaker, they will, once and for all, provide a more effective governance and management model of both facilities in the spheres of culture and the arts.

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So, Madam Speaker, the question one might now ask is, “Why is there such a need now to put new governance measures in place to ensure greater and more effective management and operations of NAPA and SAPA”? Notwithstanding the inefficiencies plaguing NAPA and SAPA, it is a fact that Trinidad and Tobago is and continues to be a cultural powerhouse in the region and in the world. It is what drives our tourism product and it is what drives our popularity worldwide. We have given our culture to the world and many countries and cities across the world not only continue to enjoy and fall in love with our cultural expression and products, but they also utilize our cultural expression and products to realize real economic benefit for themselves and for other national economies, yet we miss clear opportunities to truly maximize our culture and entertainment economically and capitalize on the advancement of the development of our orange economy.

It is a fact, perhaps too little recognized, that apart from our energy cost and resources our other comparative advantage is our cultural art forms. It is one of our main unique selling propositions as a country. As little as we may be on the world map, we have created and developed the steel pan, calypso, soca, rapso, Tobago Speech Band, chutney and tassa; our own version of spoken word, our dances and theatrical expression infused and influenced with the culture and practices of our ancestors. And with these incredibly valuable intangible assets we must continue to move away from the dependence on the energy sector and realize the full economic potential of our entertainment and cultural sectors. We must treat creative works and expression as productive and valuable endeavours.

So how do these Bills fit within our policy prescriptions? *Vision 2030* Sustainable Development Goals identified among other challenges dependence on the energy sector, weak institutions and rapid advances in technology as national challenges to be overcome on the way to achieving developed nation status. More

effective management and operations of NAPA and SAPA will contribute to fulfilling the national vision statement by enabling members of the creative sector to feel valued and attain their fullest potential supported by efficient management of these two performance spaces, providing a facilitative environment for fostering diversity and creativity but also creative avenues for more economic value creation from these facilities for those who use them; the employees, the musicians, the artistes, the stage players, playwrights, and of course, Madam Speaker, the patrons.

In other words, changing the management structure improves the ease of doing business which lays the foundation for creatives to create in a space that allows their work to flourish comfortably and for the patrons to enjoy. By changing the governance and management structures of these performance spaces we are able to promote decent work and economic growth through diversification and innovation, promote job creation, entrepreneurship, creativity and innovation, and devise and implement policies to promote sustainable tourism that creates jobs and promotes local culture and products. In addition, Madam Speaker, these Bills will facilitate the protection and safeguarding of our cultural and national heritage. So permit me, please, to go back in time to place on the record and provide some understanding to the genesis of the creations of the two academies for the performing arts in north and south Trinidad.

The first major stakeholder consultation for the performing arts academies took place as far back at 1988 at the Jean Pierre Complex under the then NAR Government. In 1990 a committee convened by that Prime Minister put forth a new plan for a national school of the arts, steel band theatre, an overall creative arts gallery and administrative offices. Between the years 1990 and 1994, further consultations done over the period with concerned stakeholders conducted in part by former Culture Minister, Joan Yuille-Williams, and it was from there that

evidence of the academies for the performing arts was born. Fast-forward to 2002 to 2004, consultations continued, and in 2005 the decision was taken by the then Cabinet to construct the national academies for the performing arts funded by a concessional loan with the Government of China and the IDF in alignment with government's aggressive pursuit of its *Vision 2020*, National Strategic Development Plan that was designed to ensure that by the year 2020, Trinidad and Tobago will be a unified, resilient, productive, innovative and prosperous nation.

In 2007, construction started on NAPA at the Princes Building Grounds in Port of Spain at the estimated cost of \$360 million for the construction works to be funded via the concessional loan while the design and other ancillary costs were to be funded by the IDF. The estimated cost of construction for NAPA increased through a variation to relocate the public tennis courts and other facilities from the Princes Building Grounds to the then named King George V Park. In the same year construction started on NAPA at the estimated cost of \$250 million for construction works to be funded via the same concessional loan that funded NAPA while the design and other ancillary costs were to be funded by the IDF. The estimated cost of construction at SAPA increased through a variation of a major redirection of a sewer line which delayed the project by approximately two years and also increased costs.

Madam Speaker, these are two very costly and very valuable facilities. The NAPA facilities—NAPA is a 26,000-square-metre facility that consists of three distinct areas; a theatre area, the academy area and a 53-room hotel. In the theatre area, called the Lord Kitchener (Aldwyn Roberts) Auditorium, there is a 1,200 seating capacity theatre, one VIP lounge room with a capacity for 10 persons, a box office and a 1,100-square-metre stage capable of moving in sections. There are technical control rooms for both onstage and front of the house, two main dressing

rooms and smaller dressing rooms for a more personalized atmosphere, as well as studios for the performing artistes and office space for administrative use.

In the academy area that is now occupied by the University of Trinidad and Tobago, there are three large classrooms, 10 smaller classrooms. There are two multifunction halls which are conference rooms to host functions with lighting and sound systems on the ground level with a total capacity seating of 400 persons. And there are two multifunction rooms with lighting and sound system on level three. In the hotel area there are 53 rooms. It is a 53-room accommodation property consisting of standard, single and double rooms, as well as three suites, and two restaurants, one of western cuisine with a capacity of 80 to 100 persons and one created for Chinese cuisine with a capacity of 130 to 150 persons. There are other areas in NAPA, an atrium with a waterscape and garden feature and an outdoor area with landscaping and high mast external lighting that beautifully lights up the masterful architecture which is reminiscent of our national flower, the Chaconia. There is also parking facilities for 172 vehicles; 172 vehicles outdoor and 44 basement spaces within the compound.

With respect to SAPA, SAPA is modelled after a G-clef inspired design and is our southern cultural flagship facility. The 111,000 square foot complex boasts two practice halls, a 730-seat auditorium of international acoustic standard named after our Barrackpore-born chutney artiste, Sundarlal Popo Bahora, more popularly known as Sundar Popo, in recognition of and in lasting tribute to his contributions to our culture. SAPA is also endowed with teaching facilities and advanced audio-visual equipment with unique spaces, including the little theatre, the VIP reception area, an exhibition hall and a dance studio.

NAPA was officially opened, Madam Speaker, in 2009, but in 2008 prior to its opening Cabinet determined arrangements for the ownership, management, and

operation of NAPA which might have at that time seemed logical in a public sector management sense. Government determined that the ownership of NAPA would remain with government. A single entity, a subsidiary of UTT was tasked with the management, maintenance, and security of the whole complex, that UTT would take responsibility for the academy area and eTecK would take responsibility for the hotel area, and the Ministry of Community Development, Culture and Gender Affairs take responsibility for the auditorium.

Under the People's Partnership Government in 2013, that government amended the management and operational arrangements of NAPA. NAPA was then under the complete management of the Ministry of Arts and Multiculturalism with MOUs entered into with the Ministries of Tourism for the operations of the hotel and Ministry of Tertiary Skills for the operations of the academy. The management of the auditorium would still be managed by a management committee through the Ministry of Arts and Multiculturalism appointed by Cabinet. SAPA on the other hand was officially opened in 2012 and at that time the management and operational arrangements of SAPA were put under a similar management arrangement with the Ministry of Arts and Multiculturalism through a management committee system appointed by Cabinet and an MOU entered into with the Ministry of Tertiary Skills for the operations of the academy, and of course there is no hotel at SAPA.

So, Madam Speaker, it is no surprise that such a convoluted and ineffective governance and management model for both facilities by overly bureaucratic Ministries subject to strict public sector rules and guidelines resulted in poor management and slow decision-making. An example of the poor management and slow decision-making with respect to NAPA resulted in the employees of NAPA in 2014 initiating an investigation by inspectors of OSHA where the facility had to

be closed for assessment and testing and subsequent remedial works due to poor maintenance resulting in poor air quality and dangerous states existing at that facility. These remedial works had to be completed by this Government in 2016 and NAPA was reopened. Since then NAPA has been maintained through facilities management provided by UDeCOTT.

The failure to properly institute an effective management model for the maintenance of the NAPA facility did not only manifest itself in the closure by OSHA as indicated. The management models of both NAPA and SAPA have also had an adverse impact on the operations of these facilities in terms of bookings, the inability to collect and utilize revenue generated by bookings and grant funding. The NAPA hotel has been underutilized since it has been created and the attraction of an operator for that hotel has continued to be a challenge on account of issues including the ownership of the property, the absence of a legal contracting entity on behalf of the hotel, and the ability to provide a lease to the hotel operator.

Madam Speaker, having regard to the adverse impacts of the inefficient and ineffective governance and management models for both NAPA and SAPA, it is our view and the policy of this Government that the solution to the issues would be to create two separate statutory bodies corporate known as NAPA and SAPA. This is a model that mirrors the Queen's Hall and the Naparima Bowl model where all the properties and assets falling under the National Academy for the Performing Arts and the Southern Academy for the Performing Arts separately and distinctly be vested in statutory bodies created by these Acts and the operations and management be led by a responsible and accountable board of directors or boards of directors.

The establishment of NAPA and SAPA as corporate legal entities means that they will both be presumed to exist into perpetuity despite changes in the members

of the corporate bodies. NAPA and SAPA will now be able to conduct its own transactions, enter into contracts and retain its own accounts and other related matters in an expedient and efficient manner and in its own name, creating and enduring legal business structure. The establishment of the boards of NAPA and SAPA will allow for faster and improved decision-making and greater ease of doing business as it relates to the proper control and management of the facilities and its commercial activities. The boards will be comprised with persons with the requisite qualifications and experience which will in itself manifest into a resilient corporate governance framework. The boards will also be tasked with strategic planning and ensuring the commercial viability, competitiveness and sustainability of both bodies corporate where such planning was not optimally executed in the past.

So, Madam Speaker, with your leave I will now give a detailed overview of the clauses of the NAPA and SAPA Bills to this House. Each Bill comprises five parts with 40 clauses. For ease of understanding, since we are doing both Bills together, I will refer to the body corporate to be known as NAPA and the body corporate to be known as SAPA, collectively as the bodies corporate. Madam Speaker, I also wish to make it clear that Government has not tried to reinvent the wheel with this governance structure. In fact, these Bills represent tried and tested legislative constructs used in similar circumstances that have already met with the approval of Parliament.

Part I of the Bill sets out the preliminary matters and clause 3 defines certain key terms used within the Act. Part II constitutes the substantive portion and crux of the Bill which is aligned with its purpose. Clause 4 establishes the body corporate. The bodies corporate, NAPA and SAPA, will therefore have a separate individual corporate and legal identities. Clause 5 of the Bill provides for the

functions of the bodies corporate. Each body corporate will have five main functions. Primarily, they are both charged with the promotion of the development of culture and the arts in Trinidad and Tobago while providing state-of-the-art facilities that boast conference amenities. Specifically, they will both also function as commercial and business entities so that it can, like their international contemporaries, explore a more progressive business model beyond the traditional historic management and thereby enter into contracts to optimally generate funds towards enhanced self-sufficiency and self-sustainability.

Clause 6 of the Bill establishes the boards of the bodies corporate which:

“...shall comprise not less than five and no more than eleven Members.”

—inclusive of a Chairman and a Deputy Chairman who will exercise their powers and duties within the ambit of the Act and our other laws. Clause 7 provides for the “Responsibilities and powers of the Board” in respect of the management and control of the entities. The board is vested with the responsibility for:

“(a) ...regulating...”—and—“...co-ordinating.....activities...”

(b) ...entering into...beneficial—“...strategic partnerships...”—and—
“...alliances...consistent with...”—its—“...functions...”

(c) ...optimising...revenue-earning...”—capacity as well as its overall—
“...contribution to the culture and art sector;”

The board will also be at the helm of developing and implementing management policies consistent with its duties and powers under the Act.

Clause 8 provides that:

“The appointment of a”—Board—“Member shall be on such terms and conditions as...determined by the Minister.”

The Bill makes provision for instances where a member resigns or should be terminated from office.

Clause 9 provides that:

“A Member may...resign...”—“...at any time...”—or—

“(2) The Minister may”—opt to—“terminate the appointment of a Member...”—in certain circumstances, which include, and to restate the commonplace formulation:

“(a) ...”—unsoundness of—“...mind;

(b) ...bankrupt;

(c)” being able or—“...unfit or unwilling to perform...”—one’s—
“...functions;

(d)” absenteeism—

“(e)...misbehaviour in office or misconduct...”—and

“(f) ...imprisonment...”

Where either resignation or termination takes place, there is provision for filling the vacancy. There is further provision for temporary or acting appointments to the board where a member needs to travel outside of Trinidad and Tobago or is absent by reason of illness or some other reason that prevents them from performing their duties.

3.00 p.m.

Clause 10 ensures transparency in matters involving the appointment, removal or resignation of members of the board. It requires the Minister to:

“...cause notices of appointments, termination and resignation to be published in the *Gazette*.”

Pursuant to clause 11, a corporate secretary will be appointed by the board. A person to be appointed as corporate secretary must be suitably qualified to fill the position, and the terms and conditions of their employment will be set by the

board. The board also determines the responsibilities which will fall to the corporate secretary.

Clause 11 prescribes the manner in which the bodies corporate must execute legal instruments and manage its official seal.

Clause 13 provides for the manner in which documents may officially be served upon the bodies corporate.

Clauses 14 and 15 provide for the meetings and minutes of the board. The board will meet at least once monthly or such other times where necessary. The Chairman may also call special meetings. Madam Speaker, 50 per cent of the board's membership will constitute a quorum for meetings of the board and decisions are taken by a majority vote for the members present. Where there is a tie, the person presiding will have a casting vote.

Further to clause 15, it will be the responsibility of the corporate secretary to take and keep proper minutes of all meetings. These meetings will be confirmed and then forwarded to the Minister.

Clause 16 of the Bill provides that:

“The Board may appoint committees comprising of its Members or other persons, to assist in the performance of...”—its—“functions...”

This clause also makes provision for the remuneration and allowances, if any, of such committee members who are not board members to be declared by resolution of the board, subject to the approval of the Minister of Finance and such sums shall properly be so payable out of the funds of the bodies corporate.

Clause 17 pertains to disclosure of interests in keeping with the principles of accountability, transparency and integrity. All members appointed to the board must, having regard to their fiduciary relationship, within three months of being appointed declare any:

“...actual or contingent pecuniary interest...”—they may have in any person, company, firm or other entity carrying on any business with the bodies corporate.

Thereafter, each member must make such disclosure within three months of each anniversary of his appointment. Although this is a timetable disclosure, provision is also made for instances where an actual or contingent pecuniary interest arises in respect of a member at any point.

Where this occurs, the member must disclose the nature and extent of the interest as soon as possible after the relevant facts come to his knowledge. Disclosures will be recorded into the minutes of the meeting and the member to whom the disclosure relates will not take part in the deliberations or decisions of the board in respect of that matter. The member will also be disregarded for the purposes of constituting a quorum of the board at that meeting.

Madam Speaker, board members are stewards of public trust, as are we. It will be an offence for a member to fail to comply with the disclosure provisions and such member can be liable on summary conviction to a fine of \$150,000 and imprisonment for a term of two years.

Further, a board member who knowingly makes a false declaration as to his interest commits an offence and is similarly liable on summary conviction to a \$150,000 fine and imprisonment for two years.

Clause 18 seeks to shield members of the board and members of staff from personal liability when carrying out their duties, so that these persons can effectively keep the board and management true to its mission and perform their functions without fear of legal consequences, where their acts or omissions are conscientious and done in good faith.

Clause 19 pertains to directions as to policy. This is a boilerplate clause

found in numerous pieces of legislation. It provides for the Minister to give any special or general directions to the board upon which they may act or they must act.

In Part III of the Bill, provision is made for staff and advisors. Clause 20 of the Bill provides that:

“The board shall...on such terms and conditions as are approved by the Minister...”—appoint a general manager.

Clause 21 of the Bill provides that, subject to the approval of the Minister, the board:

“...may employ such persons it considers necessary for the due and efficient performance of its functions and exercise of its powers...”

Clause 22 of the Bill provides that:

“The Board may enter into contracts for services with persons for the performance of...”—specific—“tasks...”

Clauses 23 and 24 of the Bill provides for the settlement and transfer of public officers.

Clause 25 enables public officers to exercise:

“...within three months of the date of the coming into force of the Act...”—an option to, one:

“voluntarily...”—resign—“from the Public Service...”

Two, to:

“transfer to...”—the new bodies corporate—“with the approval of the appropriate Service Commission...”

Three, to:

“remain in the Public Service provided that an office commensurate with the office held by...”—the officer in the public service—“is available.”

Clause 26 requires the bodies corporate to establish a pension fund plan for its officers and employees.

Clause 27 was drafted to effectively mirror clause 17 and requires the general manager and such other persons employed or engaged to disclose whether or not they have an actually or contingent pecuniary interest in any person, company, firm or other entity which may be engaged by the body corporate.

Part IV of the Bill provides for the financial provisions. Clause 29 specifies what the funds of the body corporate will consist of, including:

- “(a) appropriations...”—from—“Parliament...”
- “(c) sums borrowed...
- (d) grants, covenants, donations...”

It will also consist of:

- “(b) fees and...charges collected...”
- “(e) sums received...or owed...”—as they now become commercial entities.

Clause 30 determines how the bodies corporate may apply its fund. Funds are to be applied to necessary items like:

- “(a) ...operating expenses...
- (c) acquisition of property...
- (d) ...remuneration of the...”—board.
- “(e) ...salaries, fees, allowances, advances...gratuities, pensions...
- (f) research and development projects, training and certification...”—for staff.

Clauses 31 to 34 deal with the reporting requirements for transparency and accountability, in relation to income and expenditure.

Clause 31, the bodies corporate must prepare and submit:

“...estimates of income and expenditure...”—every—“financial year...”—
in line with the budgetary cycle.

Clause 32 prescribes and describes the financial year that runs:

“...from the 1st day of October in any year to the 30th day of September the
following year...”

To reiterate, clause 33, consistent with the theme of transparency and accountability echoed throughout the Bill, requires proper keeping of accounts and records of all sums received and spent, and to provide a report on its activities and financial statements every financial year which is forwarded to the Minister and laid in Parliament.

Clause 34 provides for the auditing of accounts on an annual basis by the Auditor General.

Clauses 35 and 36, NAPA and SAPA will also have a power to invest its moneys and borrow sums to meet its obligations where necessary and both powers are to be exercised with the approval of the Minister of Finance.

Part V provides for the miscellaneous matters in the Bill. Clause 37 mandates that the board must prepare strategic and operational plans to be submitted to the line Minister.

In clause 38, the board is empowered to:

“...make rules for the management, control and use of...”—the facilities,
subject to the approval of the Minister.

Clause 39 vests in the bodies corporate all property that exists currently in relation to the National Academy for the Performing Arts and the Southern Academy for the Performing Arts.

Lastly, Madam Speaker, clause 40 exempts the bodies corporate from the payment of certain types of taxation, similar to other statutory bodies, with the

exception of value added tax.

Madam Speaker, in conclusion, these are the Bills that are before us. Government holds firm to the position that these Bills are necessary for more agile and strategic management of both NAPA and SAPA for the benefit of the culture and art sectors. I commend these Bills to this honourable House and I look forward to contributions to come.

Madam Speaker, with those few words, I beg to move.

Hon. Members: [*Desk thumping*]

Question proposed.

Madam Speaker: Hon. Members, you are reminded that leave has been granted for Bills Nos. 2 and 3 to be debated together. Member for Moruga/Tableland.

Hon. Members: [*Desk thumping*]

Ms. Michelle Benjamin (*Moruga/Tableland*): Thank you, Madam Speaker. Thank you again, Madam Speaker, for the opportunity to make a contribution on the two Bills that are before the House today.

Madam Speaker, these two Bills deal with two entities that are the pride and joy of this beloved country. The Minister took approximately 10 to 15 minutes well talking about the dimensions and the promotion of our culture. Is it that without the board, those buildings were not doing that before? We are well aware of how our money was spent but we are not aware on its achievements. We are not aware of the rewards of the valuable and costly investment that was made in both NAPA and SAPA, costing taxpayers an estimated \$1 billion.

Madam Speaker, having listened to the hon. Member, today we have before us Bills which focus on the institutions that ought to birth and nurture the creators of our nation: the musicians, the instructors, the dancers, the content creators, the actors. Madam Speaker, I refer to our performing arts industry and more than ever

before this industry needs us, the policy and the lawmakers, to set in motion a plan that equips them with the resources needed to stay resilient and ever evolving.

The COVID-19 pandemic has undeniably affected every sector of our economy, with our artistes being some of the most affected in Trinidad and Tobago's culture and the arts. Our art sector is seemingly withering away.

The National Academy for the Performing Arts and SAPA were intended to be state-of-the-art facilities of culture and the arts in Trinidad and Tobago, whereby some people did not know this for the way it was treated. Madam Speaker, these facilities are supposed to facilitate persons from all walks and all corners of life to experience our beautiful culture in this twin-island State. Indeed, this Bill has the prospects of being instrumental, an instrumental tool for the administration and management and control for the National Academy for the Performing Arts and for the Southern Academy. One can appreciate the intention of the Bills, Madam Speaker, but I am not sure that the establishment or the installation of these boards will further our cultural landscape.

The sitting should have been used to debate a Bill which would have been an overarching institution towards the development and culture of the arts in Trinidad and Tobago.

Hon. Members: [*Desk thumping*]

Ms. M. Benjamin: This in turn would have had the potential of bringing our cultural spaces under one efficient body. Madam Speaker, one thing that cannot be stressed enough is that our experience with NAPA and SAPA under the PNM administration is that there has been total failure to consult with the various stakeholders.

Hon. Members: [*Desk thumping*]

Ms. M. Benjamin: Certainly, the idea of having a space that is created to cultivate

the minds of the creatives is indeed welcomed. Over the past decades, many of our respected and distinguished creatives have continuously called for spaces to develop and showcase their craft. Spaces are needed for learning, training, rehearsals; spaces to hold headliner shows and also host small performances.

And after spending more than \$500 million on the National Academy for the Performing Arts, we would have heard all the different aspects and all the different rooms that the Minister would have outlined. And after spending this sum, we expect it to at least have a cross-sectional function and be able to cater to the needs of the industry. However, stakeholders were not even consulted with regard to design and functionality of the performing art spaces, resulting in buildings that are wholly unsuitable and, in some cases, unusable.

When NAPA was first instituted—and we heard the Minister give us the history here today—the defects on the design and functionality were noted by several professionals in the industry. This is not the UNC saying this. These defects were noted by the stakeholders, the end users of the facility.

Hon. Members: [*Desk thumping*]

Ms. M. Benjamin: There were no loading areas for the main stage, no dress rooms or the dress rooms were not suited, no storage facilities, Madam Speaker, and the list is long.

In a *Newsday* article dated the 14th of March, 2010, the then interim President of the Artists' Coalition of Trinidad and Tobago, Mr. Rubadiri Victor, estimated that:

“It...”—would—“take...”—an additional—“\$80million to correct flaws...”—of—“the design of the National Academy for the Performing Arts...Port-of-Spain.”

Madam Speaker, that is in addition to what was already spent in building

this facility. All bets are off as to how many more millions have been put into attempting to implement quick fixes for these many design flaws. To date, several defects still exist.

The Minister would have mentioned the stage. Currently the stage does not even rotate any more, as I was informed by a stakeholder, which distracts from transitions during performances. Madam Speaker, it is clear that stakeholders were not consulted back then and history surely repeated itself. Yet again, stakeholders are being slighted by this Government. Where are the meetings with Pan Trinbago? Where are the meetings with the National Band Leaders Association?

Mrs. Robinson-Regis: Madam Speaker, Standing Order 48(1), please.

Madam Speaker: Okay. So, Member, I uphold the objection. Remember, what we are discussing here is the establishment of the body corporate, so be very careful with respect to where you are going with this. Okay? I uphold the objection. Please proceed in accordance with the guidance.

Mr. Young: You cannot burn any tyres in the corridor.

Ms. M. Benjamin: Noted, Madam Speaker. But in dealing and responding to what—noted and moving on.

Mr. Hinds: All she could do is burn tyres.

Madam Speaker: Members.

Hon. Members: [*Crosstalk*]

Madam Speaker: I would just ask everybody in this Chamber to show respect and tolerance, if any day, today.

Ms. M. Benjamin: Thank you, Madam Speaker. Madam Speaker, as I proceed with my contribution here today, trying was to give a backdrop as to how the history of NAPA is duly colourful and to speak to the stakeholders before I dive into the Bills itself.

Madam Speaker: Member, I have already given you guidance. I do not need you to carry me back and justify. Please continue.

Ms. M. Benjamin: Yes, Madam Speaker.

Madam Speaker: Remember I said today is tolerance and respect as our watchwords, all of us.

Ms. M. Benjamin: Thank you, Madam Speaker. I am so guided.

Madam Speaker, permit me to dive straight into the Bill at hand—to the Bills at hand I should say, as we are debating both Bills. And I will start my contribution with clause 5, the functions of NAPA, and as the Minister indicated, the Bills are mirror images of one another.

Clause 5 outlines that NAPA will provide facilities and amenities but how will this be done with the building being reviewed as physically ill-equipped? It also states:

“...facilitating persons...in the performing arts...”—sectors.

In the past NAPA has turned away several artistes in Trinidad and Tobago, the chutney/soca artistes, steel bands and other stakeholders who were interested in using the facility, all of whom were told their performances were unsuited for NAPA. Does the Government recall when a certain Minister of Community Development, Culture and the Arts; Gender Affairs said that NAPA was not suited for tassa, parang and chutney, that NAPA would host only upscale events? Upscale for whom, Madam Speaker? This is supposed to be a national building.

Is the stage suitable for dances? Madam Speaker, as we both know or as I would have indicated, the stage is defective as we speak. Artistes are actually making more of a name on an international stage as opposed to when they are allowed to perform in the facility.

Madam Speaker, I would like to deal with the lack of transparency of the

Bill. Madam Speaker, I seek your indulgence as I take time to move to the second substantive point, that this Bill lacks transparency. As was noted in the Upper House, why is there a need for two separate boards? As recently uncovered in the Paria scandal and the cover-up, it is extremely—

Madam Speaker: Member, I rise on Standing Order 48(1). We are dealing with NAPA and SAPA. Please confine your contribution to that. And, Member, this would be the second time that I have raised Standing Order 48(1). Please be guided.

Ms. M. Benjamin: I am guided, Madam Speaker. Madam Speaker, it was just to put context but I will move on.

Clause 6(2) says that the board should comprise of more than five, but not less than 11 members. Why not a definite number? There should be a defined thought on who and what qualifications are needed for the board, who constitutes the board and how many years of experience do they need to sit on this board. The Minister should not be appointing members to the board. Stakeholders should vote and the Minister should only be giving instruments of appointment. We need to make the membership to the board fair and transparent. I do not think the Minister should appoint board members. Again, we see that there is a lack of consultation with stakeholders who may have offered their representatives to sit on this board.

Hon. Members: [*Desk thumping*]

Ms. M. Benjamin: There was no mention in the Bill, Madam Speaker, for stakeholders' representation. Additionally, the current ill-designed requirement of a ministerial appointed board begs the question, can the public place their trust and confidence in a process that has the potential to be partisan from its commencement?

Under clause 6, the Bill caters for the hiring of professionals in an array of

fields of law, culture, engineering, management, finance, et cetera, and they are intended to create policies by which to govern this body corporate. However, these same experts are unable to make a decision as to their own staffing. They must run back to the Minister. Additionally, how is the staffing to be determined?

There are thousands of youths in Trinidad and Tobago—Madam Speaker, I would like to stress, thousands of youths in Trinidad and Tobago whose passion lies in the development of our culture. Will these youths be given a fair opportunity for employment or will the staffing be led by the Minister or board?

Mr. Deyalsingh: Who wrote that?

Mrs. Robinson-Regis: Madam Speaker, Standing Order 48(6), please.

Madam Speaker: Member, I take it you are asking questions. I give you an opportunity to continue.

Ms. M. Benjamin: Appreciate, Madam Speaker.

Those who only suit the political whims of the current administration should not be the only ones allowed to constitute the board. This leads us to another issue. In this proposed legislation, what level of Government interference is to be expected in the running of these bodies corporate? No defined roles and functions of the—

Mrs. Robinson-Regis: Madam Speaker, Standing Order 48(6), please.

Madam Speaker: And I will uphold the objection, Member, with respect to that last statement.

Ms. M. Benjamin: Noted. Madam Speaker, is it that we are to have a separate entity to run these establishments or is it that the Government controls and runs, since the board has little power without the Minister's say? Where is the accountability?

Madam Speaker: Member, you have developed the point that I have already ruled

on. It was objected to and I have ruled on. So please withdraw that—

Ms. M. Benjamin: Withdrawn, Madam Speaker, and—

Madam Speaker:—and continue on the correct tread.

Ms. M. Benjamin: Yes, Madam Speaker. I will move on to clauses 7, 8 and 9.

[Interruption]

Mr. Charles: *[Inaudible]*

Madam Speaker: Member for Naparima, I think you understand why I am standing. Continue.

Ms. M. Benjamin: Thank you, Madam Speaker. The responsibilities outlined by the board are so ambiguous it is difficult to see how they are going to execute this. Is the board solely going to come up with the strategic plan for NAPA or SAPA? Are we going to rely on the board to come up with how to execute the functions of NAPA? I see clause 37 caters to this, but vaguely so.

The strategic plan and the operational plan: Madam Speaker, today I would like to ask, how are these facilities being marketed regionally and internationally since 2015? Little to nothing has been done to promote the value of these establishments, yet we are to believe that the promotion and development of the culture and the arts of Trinidad and Tobago will be effective all because we have boards of persons appointed by a political entity in place. Madam Speaker, look at Tribe Carnival sold out by only putting out preregistration. Would the board have the capabilities to mimic something like this? Also, clause 8—

Mr. Deyalsingh: Madam Speaker, Madam Speaker, regrettably Standing Order 48(1).

Madam Speaker: One minute. Member for Naparima, you wish to raise an objection?

Mr. Charles: No, I was just pointing out—

Madam Speaker: All right. Member, overruled. Please continue.

3.30 p.m.

Ms. M. Benjamin: Thank you, Madam Speaker. Madam Speaker, also clause 8(1), there should be a cap on how many terms a board member can serve. We need fresh ideas and not repeated use of the PNM old guards. Moreover, it cannot be that one person can sit on multiple boards. It may not be prudent of me to say, but one man currently sits on seven boards in Trinidad and Tobago. I—

Madam Speaker: Member, again I stand. The mere fact you say “it may not prudent”, you know. All right? And therefore I consider it deliberate, there is knowledge. One more attempt like that and I will enforce the power of the Chair.

Ms. M. Benjamin: Yes, Madam Speaker.

Madam Speaker: And, please, I do not need any response. Continue.

Ms. M. Benjamin: So guided, Madam Speaker. Madam Speaker, clause 9 also does not state any removal of a board member for conflict of interest. It is not unknown that only close links, Madam Speaker, to certain persons—

Mrs. Robinson-Regis: Madam Speaker, Standing Order 48(6), please.

Madam Speaker: Member, I have given you a lot of leeway. A lot. Again, retract, find the proper course and this is the last time.

Ms. M. Benjamin: Madam Speaker, I am so guided. I retract and I shall move on to another clause. Thank you for your guidance as always. Madam Speaker.

Madam Speaker: Member, as I said, that might be your manner of speaking, I do not appreciate it. All right? I do not appreciate it.

Ms. M. Benjamin: Duly noted, Madam Speaker. Madam Speaker, and if you will permit me to gather and to move on to things that are not—give me one—right.

With regard to SAPA, Madam Speaker, presenting on the SAPA Bill is a copy and paste just like the Bill itself. The underlying issues in the culture industry

remains the same but note that there is an added element of inequity to be considered. Let us look at the Naparima Bowl, the only other performing space in south. Madam Speaker, and it is just to put the argument into context that we are here today to discuss the NAPA Bill and the SAPA Bill. The PNM Government has brought here today yet another major policy proposal without any data, detailed plans, evidence of for consultation and stakeholders, again, was left out.

Hon. Members: [*Desk thumping*]

Ms. M. Benjamin: The transition of NAPA and SAPA to commercial entities can only be strategically done within the broad context of a cultural policy. The commercially viable aspects of culture will need a robust policy framed to support development, as well as every economic sector in the country. The question that arises here is, how will the company be able to overcome the hurdle of generating more than 95 per cent of its current expenses without subvention? NAPA inherits a failed financial model. Specifically, the model is one that depends on state funding for every aspect and operation. The handover from the Government to a board cannot reasonably include an expectation of self-sustainability. The roles and responsibilities of the board of any cultural space such as NAPA and SAPA will be grounded in sound government policy.

If we turn to the official cultural policy of 2019 to 2024 of this Government we identify key areas for discussion. The policy is titled the National Policy on Culture and the Arts. Madam Speaker, when we look at clause 5 and we put it in perspective with regard to SAPA, Madam Speaker, SAPA even when it was used—sorry, Madam Speaker. The floor would have interrupted. SAPA even when it was used, Madam Speaker, as a vaccination site, certain flaws within the infrastructure of the facility were pointed out. That it is a dry-weather facility. Madam Speaker, and we are here to discuss two Bills that would be used to

promote culture and the arts in Trinidad and Tobago. We are here to put and pass clauses when this Bill goes to the committee stage. Madam Speaker, but yet we saw that no penalties are being put in place for the upkeep or even for accounting for how government funds will be spent on these buildings.

Madam Speaker, we have clauses that deal with allowing NAPA and SAPA to borrow. We have clauses that deal—Madam Speaker, if you will allow me to raise a pertinent question here. The board needs to be evaluated on a yearly basis, Madam Speaker. And that is because the board is being entrusted with certain things with regard to borrowing and with regard to standing and putting bonds on the open market and shares, Madam Speaker. Madam Speaker, so I ask the Minister, in his winding up to give clarity to certain things, Madam Speaker.

I will like the move to clause 14. Madam Speaker, and we move here. If there are to be meetings of the board, it ought to be stated within the Bill how many members of the board will constitute the quorum. Madam Speaker, this is vaguely stated as we know the board will constitute between five to 11 members.

As for clause 16, unfortunately I see the clause as a generalized loophole to bring in a set of persons, Madam Speaker, that may not be of the cultural fraternity.

Madam Speaker, when we deal with clause 19, as I continue my assessment of the Bill, it seems also counter-intuitive. Clause 19 contradicts the whole purpose of the board which is to be an objective, unbiased body in the promotion of the national culture. This clause literally allows for political interference in the management and the facilities—

Mrs. Robinson-Regis: Madam Speaker, Standing Order 48(6), again please.

Hon. Member: Oh gosh.

Mrs. Robinson-Regis: Oh gosh what?

Hon. Members: [*Crosstalk*]

Madam Speaker: Overruled.

Ms. M. Benjamin: Thank you, Madam Speaker. Madam Speaker—Madam Speaker, with regard to dealing with the clauses, since it seems to be an issue of contention, I will change my focus on projecting the way forward. NAPA and the plan for it are not linked to strategic development. This will render NAPA an entity operating in silos. The Government only had to turn to the UNC's national transformation plan from 2020 to 2025 to understand how to build a creative sector and to link the work programme of NAPA to the same. This strategic approach is absent from the Government's stated cultural policy of 2019 and reflected by the debate on the Bill both in this place here today and also, Madam Speaker, in another place in the Upper House. In our plan, we outlined measurable targets, namely, by 2025 the generation of US \$50million in foreign exchange and to increase creative industries' contributions to 1 per cent of our GDP. We would have to take a look at the bad taste of Carnival programmes to see how this Government is failing our culture. The Government had two years to plan, to properly execute the greatest—

Madam Speaker: Member, I rule you out of order, irrelevant. Please get back to the SAPA and the NAPA Bills.

Ms. M. Benjamin: Madam Speaker, I am heading there with regard to—

Madam Speaker: No. Do not head.

Hon. Members: [*Laughter*]

Madam Speaker: And this is not comedy hour, please, Members. Do not head. Be there.

Ms. M. Benjamin: Yes, Madam Speaker. Madam Speaker, the Bill before us or the Bills before us, Madam Speaker, is to treat with establishing two entities to promote our local culture. Madam Speaker, the Bill before has several clauses that

needed to be ventilated here today because of the ministerial and the Minister's over-heavy hand on the Bill itself.

Madam Speaker, if you look at the Bill from the layman's point of view, the word "Minister" is mentioned over 50 to 51 times and that is in the NAPA and it will be repeated same in the SAPA. Madam Speaker, and that is just an indication of how much political interference the Bill will have. Madam Speaker, and I am trying to read—

Hon. Members: [*Crosstalk*]

Madam Speaker: Members, I am having some difficulty in hearing the Member for Moruga/Tableland. So I will ask both sides to cooperate with me.

Ms. M. Benjamin: Yes, Madam Speaker. Madam Speaker, thank you again. Madam Speaker, I have been trying to raise and to point out how several clauses will have—and I know I may—Madam Speaker, in pointing out how the Bill has several clauses that have too much ministerial interference in it, Madam Speaker. I know it is a contention with the other side here today, Madam Speaker, because sometimes it is hard to actually deal with the devil in the details, Madam Speaker.

So, Madam Speaker, I would like in my conclusion—while the Bills intend to change the management structure of the organization towards the monetizing of the facilities, what we see thus far is the inability to show accountability and transparency for the operations of both NAPA and SAPA. There is a need for interest groups to be represented and I will never stop advocating for the Minister to reach out to the relevant stakeholders and get their input, not only the development of the Bill but on the constitution of the board. If we want NAPA and SAPA to generate income revenue, we need to put the power in the hands of the stakeholders and NAPA and SAPA have to be redesigned with their creative and performative needs and functions in mind. Madam Speaker, why not create a

national arts council run by our artistes who would provide seed capital to our artistes, Madam Speaker, so our artistes would not have to be plagued with begging this administration for funding. We are the pioneers of Carnival and our international counterparts beat us to it. Madam Speaker, this happened last year with Miami and it will happen again this year. What did we do in the last two years with NAPA and SAPA besides using them as vaccination centres?

Madam Speaker, at no point in time we tried to commercialize or monetize the establishment. And I thank you for the opportunity to contribute here today, Madam Speaker, and I look forward to when the Bill is in committee stage so we can ask relevant questions with regard to the over-heavy hand of the Minister in the Bill and the clauses presented here before us. I thank you, Madam Speaker.

Hon. Members: [*Desk thumping*]

Madam Speaker: Member for St. Ann's East. Hon. Member, you have 30 minutes.

Hon. Members: [*Desk thumping*]

The Minister of Education (Hon. Dr. Nyan Gadsby-Dolly): Thank you very much, Madam Speaker, for the opportunity to contribute on what I consider to be a very important Bill before this House today. Madam Speaker, as confused as I am right now and I am sure quite a couple of other people may be confused as well—

Hon. Members: [*Desk thumping*]

Hon. Dr. N. Gadsby-Dolly:—I want to start off and I think it is important to start off by saying that, as a citizen of Trinidad and Tobago regardless of what side of the divide, NAPA and SAPA are two institutions that we should all be very proud of.

Hon. Members: [*Desk thumping*]

Hon. Dr. N. Gadsby-Dolly: And they are attractions when anyone comes to our

country and it is something that we have to own, to feel proud about and that is why this Bill is so important today because it speaks to their more efficient management. And anything that can speak to that, Madam Speaker, should be something that we are all very proud of and we are clear that it is something that it is positive for our development.

And I want, as I say, to express this pride in NAPA and SAPA, I want to commemorate the management committees and staff of NAPA and SAPA that operate at this time that have kept these institutions running to enhance the cultural development in Trinidad and Tobago. And I want to say, Madam Speaker, just to point out, that at this time these management committees are appointed in the same way as all boards of state enterprises, state institutions are appointed, they are appointed by the Government of the day and therefore, the persons who are there now doing yeoman service have given of their time, their efforts to ensure that these facilities are available and remain available for the use of our cultural sector and our developing artistes.

Madam Speaker, Trinidad and Tobago—and the Minister would have mentioned it in his opening—is well poised to be the cultural capital of this region, well poised. And a lot that has to do with our diversity of cultures, ethnicities, races that we boast about and that is admired by everyone that graces our shores. That cultural diversity is something we hone in Trinidad and Tobago and it is not clearly understood by many people. They come here and they say, how is it that so many different cultures and races live in harmony? And a big part of that is because we value our culture and the differences in our culture, they do not separate us that they should not, but they bring us together as we value it. And our performing spaces, Madam Speaker, play an essential role in presenting this culture to all of our citizens and it plays an important role in our cultural

confidence that builds patriotism.

Hon. Members: [*Desk thumping*]

Hon. Dr. N. Gadsby-Dolly: So we are speaking about NAPA and SAPA and the way they are governed but it is not as simple as just instituting a board. There is a much deeper reason why this is important and it speaks to the very core of who we are, the very core of our discipline, tolerance and production, the very core of cultural identity and that is what we have to go to the root of.

At a community level, Madam Speaker, we have many community centres and those play that role there. So you would go to different communities, and in those centres you would find our culture being presented. And that level of exposure is what is critical and NAPA and SAPA were created for this. They were created for us to showcase our culture and through that culture to bind together as a people to be able to still boast of very creed and race finding an equal place and that tolerance that is important for the order in our society.

So, it is not as simple as just instituting a board in NAPA and SAPA. It is about giving space for the development of our culture and our artistes. And if you speak to any artiste, they can tell you, Madam Speaker, the most important thing for them is having a space to show the creativity, to explore and display how they are developing as an artiste. So our performance spaces, Queen's Hall, Naparima Bowl, NAPA, SAPA, these are critical parts of our cultural identity, critical parts of a society and their management is very important. We are speaking about carrying NAPA and SAPA to the same level of management that Queen's Hall and Naparima Bowl, for example, enjoy, where they have board, that board is in charge of a management team and that team ensures that the facility and the investment in the facility is well taken care of and it continues to be able to contribute to development of artistes year after year, generation after generation.

Madam Speaker, Queen's Hall and Naparima Bowl, they have Acts of Parliament and they are managed in that way. And if I may dare say, these institutions have been around for a long time. I remember as a child performing on the Queen's Hall stage in Music Festival. I remember that, and it was a big thing for me, it was an important thing in my development. And the fact that as a child I remember that it was there before me, it is there now, it speaks to efficient management. It speaks to stewardship. It speaks to the fact that the investment in these institutions did what it is supposed to do. It allowed for the institutions to be around for many years and to be able to benefit our population for years to come. And that is exactly what is being sought now for NAPA and SAPA. It is important that their management is as efficient as it can be.

And in terms of cultural development and efficient management of the spaces that allow for cultural development and how it relates to national development. *Vision 2030* speaks to two themes, and I want to mention them. Every citizen is valued and has equal opportunity to achieve their fullest potential and to a creative, a space to showcase their development is critical. So if we are speaking of value to creatives, then we are speaking about properly maintained and managed performance spaces so that they can fulfil their truest potential and feel valued.

And the other theme of *Vision 2030*, diversity and creativity of the people is valued and nurtured. Diversity and creativity of the people is valued and nurtured. And that speaks, of course, clearly and directly to having spaces where can showcase our diversity and our creativity. All of it. All of it, Madam Speaker. And these are the things that are nurtured at NAPA and SAPA.

Our performing spaces are incubators, incubators for our cultural development. Incubators for our cultural sectors. And many of our artistes went

through their rites of passage on the Queen's Hall stage, on the NAPA stage, Best Village, chutney shows, classical shows. All of these take place on these stages and it speaks to the importance of efficient management, because if it is not managed efficiently, then we will not have these spaces around for generations.

And I want to speak to what happened between 2014—2013 and '14 and 2015 with respect to the closure of NAPA because of inefficient management and inefficient upkeep of the facilities. When that NAPA auditorium was closed, Madam Speaker, it was a serious blow to the cultural sector and it was something that was very topical, very hurtful because we had invested a lot in these spaces and because they were not taken care of properly, we no longer had the use of the space. And that is what we are speaking about. Almost a \$1 billion investment in the cultural sector and left without efficient management, it will not be around. So therefore it is about taking scarce resources in our country and what we are applying them to and ensuring that they are managed in the correct way so that our country benefits from it.

And when in 2015 the decision was made to get the NAPA auditorium back up and running, it required an injection of over \$20million and careful management and the institution thereafter of a plan to ensure that the auditorium was kept up, both at NAPA and at SAPA and that was lacking. And these are the kinds of things that can be taken care of much more efficiently if there is a structure such as Queen's Hall, such as Naparima Bowl in place. It protects the serious level of investment that the country makes in the cultural sector.

And so now that these auditoriums are back up and running, Madam Speaker, this Government has a vested interest in ensuring that the correct level of autonomy is given to the management and a properly appointed board to take care of the country's investment. That is not a simple matter. That is an important

matter. And for anyone who is a part of the cultural sector, they fully understand the importance of this, having been without the NAPA auditorium for some time because we did not have this in place.

Madam Speaker, we have national performing entities in Trinidad and Tobago. The National Philharmonic Orchestra, the National Steel Symphony Orchestra and the National Theatre Arts Company. These institutions, these national performing entities are a natural partner for our NAPA and SAPA spaces and it is there that they, one, are housed, they practise and they find the space to be able to operate and to showcase their talent for the country. And I can tell you, that at these events that are put on by these entities at these performing spaces, and that is why they are so important. Families come out and have positive engagements, children are exposed in a way that they would not be, and many of these events are free to the public. Free to allow for our nationals to engage in positive engagement deep into their culture and that is critical. So when we speak of this investment into these performance spaces, it is not as simple as just putting a board there and why the Minister is involved. It is that the State must be involved in getting our national exposed—

Hon. Members: [*Desk thumping*]

Hon. Dr. N. Gadsby-Dolly:—in such a way to increase the quality of life in Trinidad and Tobago. That is what is important. And so, it is much deeper than just a superficial dealing of the Minister there and—I mean, what is that? We have to understand who we are and feel proud of our development and feel proud of these institutions.

Hon. Members: [*Desk thumping*]

Hon. Dr. N. Gadsby-Dolly: And a part of that pride is ensuring that they are governed properly so that we do not run back into the same problem we were in in

2013 and '14, that they are not available the public, that the investment we have put in is not being carefully guarded.

Mr. Ratiram: Madam Speaker, Standing Order 48(1) please.

Madam Speaker: Overruled.

Hon. Dr. N. Gadsby-Dolly: Thank you, Madam Speaker. Madam Speaker, maintaining positive and proper management structures for NAPA and SAPA and only redound to the benefit of those institutions. Of course, we have to mention that the UTT is housed at NAPA as well. The Academy of the Performing Arts is housed at NAPA so there is an intricate tie between the training of artistes, the performance of our artistes and the efficient management of that space. And I draw again to the attention, without proper management, these spaces can run into neglect, into ruin. We will not have that investment available for our public. And if that is lost on any Member of the Opposition, and they do not see how that is relevant, well then I do not even understand if they understand the meat of what this is about. This is deeper than simple “board”. This is about our culture, our people and their development.

Hon. Members: [*Desk thumping*]

Hon. Dr. N. Gadsby-Dolly: What is being asked and debated before the Parliament here today, will allow these spaces to operate without as much bureaucracy as they presently operate under. And, that will ensure that these spaces have the type of blossoming that they need to engage in, to be a part of our national public and to really give back to the public what the investment was meant for. I want to congratulate the Minister for bringing this to the Parliament—

Hon. Members: [*Desk thumping*]

Hon. Dr. N. Gadsby-Dolly:—because it may be seen as simple, but those who are involved in the cultural sector understand the importance of this. And this is all tied

up into cultural policy with respect to how we view our culture, how we view our artistes and how we ensure that they are well taken care of. Any artiste you speak to, Madam Speaker, anyone can tell you, the most important thing for an artiste is a space to display what they are developing. And what we are doing here today will ensure that NAPA and SAPA continue to give to generations that will come after us their benefit, and the investment in these spaces will continue to redound to the benefit of all of us as a people.

4.00 p.m.

Madam Speaker, it is important that as a people we understand that we are not just meant to go to school and study our academics. We are also meant to explore our spirit, explore patriotism, explore our creative side, and a country that does not give enough service to the creatives in their country is a country that will not progress in the way that we want our country to. And so as a part of *Vision 2030* which speaks to a development of creativity, this Bill speaks to an integral part of that, because as we manage our performance spaces carefully, as we manage our scarce resources carefully, it will redound to the benefit of the development of the persons we want to be.

So, Madam Speaker, I completely support this Bill. I thank the Minister for bringing it. It is critical, it is important, and we are heading toward the right direction as we manage our resources carefully by developing these boards for NAPA and SAPA. Thank you, Madam Speaker.

Hon. Members: [*Desk thumping*]

Madam Speaker: Member for Pointe-a-Pierre.

Hon. Members: [*Desk thumping*]

Mr. David Lee (*Pointe-a-Pierre*): Thank you, Madam Speaker, for allowing me to join this debate. As I was coming to the box here, I got a stare from the Leader of

Government Business. I do not know what that stare was about.

Madam Speaker, I just want to compliment my colleague from Moruga/Tableland for giving an opening response to the Minister of Tourism, Culture and the Arts in piloting these two—in my view, these two critical Bills, very critical Bills for the development of our performing facilities in our country. The two Bills reflect, as you know, the National Academy, which we all know as NAPA in the north and the Southern Academy, SAPA, as we call it for short in the south. And listening to the Minister of Tourism, Culture and the Arts piloting the both Bills today, truncating the two Bills into one debate, it is very critical for the development, as I said, and I will get into the—from more of a business financial aspect, and I think the Minister would agree with me, it is really—these two Bills are to give these two expensive facilities, it is very costly for the taxpayers of this country when it was built and even to maintain on an ongoing basis, Madam Speaker.

Because, I listened to the Minister of Tourism, Culture and the Arts, I think the figure he quoted together, the two facilities, cost about just over \$600 million to build together, and then I listened to the past speaker, the past Minister, she was the past Minister of Culture, Tourism and the Arts, she talked about, the Minister did talk about it, about a billion dollars in total. So, it is a massive amount of money that we are talking that the taxpayers have funded when these facilities were built. One was opened—NAPA was opened in 2009 and SAPA was opened in 2012 and we are still paying the Chinese Government the Chinese loan on that facility presently, Madam Speaker. I think we pay something in the facility annually, about 55 to \$60 million annually, the taxpayers of this country. We are still paying back on that loan.

Those two facilities are very costly to maintain and I would say—some people might say it is a burden on the taxpayers given the economic times that we

are going through as a country. And I too agree with the past speaker, the past Minister, about the culture aspect, and I heard the passion in her voice about the culture, and it is about the culture, Madam Speaker. But while it is about the culture it is also about ensuring that these two expensive facilities are really properly managed, Madam Speaker. So I understand the reasoning for these two Bills of being able to form two companies, the NAPA. I would call it for short, NAPA Limited and SAPA Limited, for better management, Madam Speaker.

Now, I want to ask the Minister, through you, Madam Speaker. We are now in 2022, this is a Government that came into running this country in 2015, this present Government, and they had these two facilities that they were managing through the respective Ministry. And I ask the question and maybe the Minister in his wind up could answer, why did they take so long to bring these two pieces of legislation for the betterment of these two facilities, Madam Speaker? They believe in it, and the Minister talked about these two Bills mirror, and when I checked it, it mirrors the Queen's Hall Bill and the facility and the Naparima facility.

We all know, we all grew up in Queen's Hall and Naparima. Those who live in the north we grew up in Queen's Hall. Most of us as kids, as young students, Form 1 we would have entered, all of us whether you could sing or not you would have been part of music festival in Queen's Hall, Madam Speaker. So, we understand the Queen's Hall facility, we understand the Naparima facility, and they really, for me, it developed my aspect of culture being able to attend Queen's Hall with all the different pantomimes and so forth, plays, that would have taken place in these two facilities, Madam Speaker. So we have two great—two expensive facilities, NAPA and SAPA, Madam Speaker. And also when I listen to the Minister of Tourism, Culture and the Arts piloting the Bill, especially NAPA, he gave us a history of the facilities of both academies and he mentioned, the

Minister mentioned in the north, attached to the NAPA academy facility auditorium is a 52-room hotel with two restaurants, Madam Speaker. And I will get to that hotel in my contribution, Madam Speaker. So when you look—Madam Speaker, you go through the different clauses and you look at clause 6, clause 6 says NAPA shall be—I want to go to clause 6(3). I will go up, it is clause 6. Clause 6 states about the establishment and the constitution of the board.

Clause 6(3), Madam Speaker, states:

“The Members shall be selected from persons who have qualifications or experience in the performing arts, culture, law, engineering, management, finance, accounting, information technology, human resources, marketing or any other related or relevant field of expertise.”

So it gives the type of individuals who, based on experience, can sit on the board. And when I listened to both the Minister of Tourism, Culture and the Arts and I listened to the Minister, previously the Minister of Education, and their assess of the culture aspect, I am surprised, and I am asking the Minister to give consideration—because the Minister of Education was passionate about the culture and I am surprised that when you look at the composition of the board, it does not state whether or not you really need a cultural individual to sit on the board. And if you read 6(3), Madam Speaker:

“The Members shall be selected from persons who have qualifications or experience in the performing arts, culture, law, engineering, management...”—et cetera, Madam Speaker.

So it does not state specifically that you need to have someone from the performing arts and culture to sit on the board.

Now, the Minister is looking at me and he says, well—and I am saying if you read it, it says “you shall”. So I am hoping that the Minister could ensure that

someone from the performing arts and culture complements the board along with the different disciplines, Minister. Minister, when you—because when you look at clause 5, if you take clause 6(3) into clause 5, Madam Speaker, clause 5 states the functions of NAPA. Clause 5 states:

“The functions of NAPA are—

- (a) to promote the development of culture and the arts in Trinidad and Tobago;”

So that is the main function of NAPA, and I am assuming that it will also, because it is a mirror, the Bill of SAPA is a mirror of NAPA. It will also state in the SAPA Bill:

“to promote the development of culture and the arts in Trinidad and Tobago.”

And nothing is wrong with that, Madam Speaker. We are not against that, Madam Speaker. But we just want to ensure that the individuals who sit on this board really also are part from the culture and the performing arts, Madam Speaker. So I just want to put that out for the Minister to consider or strengthen when he is forming the board as the Minister.

Madam Speaker, when you look at clause 7, clause 7 talks about responsibilities and powers of the board. And I want to just go to 7(c). 7(c) states, Madam Speaker, and I quote in the Bill. I am using the NAPA Bill and it mirrors the SAPA Bill. Clause 7(c) states:

“identifying, evaluating and promoting of all culture and the arts related activities in respect of NAPA with a view to optimizing the revenue-earning potential of NAPA and its contribution to the culture and the arts sector.”

Madam Speaker, 7(1)(c) talks about the potential revenue earning of NAPA; very important. And that is the reason I think the Government, through the Minister of

Tourism, Culture and the Arts, in their wisdom, has bought two companies, the NAPA company—lack of a better frame—and the SAPA Limited. It is about revenue earning potential to maximize the revenue earning potential of both facilities, Madam Speaker. And, by trying to do that, Madam Speaker, they created these companies and they will have a board of management, a board that consists of different disciplines, and then that board will hire a general manager and other experienced individuals to run those two costly facilities, Madam Speaker.

So, Madam Speaker, even the complement of the board is very, very critical, because we are talking of a billion-dollar investment for the country. So even the board composition should not be taken lightly. Those individuals will be in charge of trying to at least self-sustain and make those two facilities viable at some point in time, Madam Speaker, because they are talking about a billion-dollar investment. So those two individuals must be very, very experienced. They must be very experienced in the respective fields, et cetera.

Now, Madam Speaker, when you get into the general manager aspect that the board—it is here in the Bill—will hire a general manager. Now, when you look at the qualifications of the general manager here, Madam Speaker, leaves much to be desired. And I mean that respectfully Minister of Tourism, Culture and the Arts. It just does not say the general manager should have any particular type of functions and qualifications. And that general manager, in my view, is more critical than some people on the board. Because that general manager has to have a lot of managerial experience along with cultural experience, along with marketing and promoting experience to make those two institutions on the road to viability, or self-sustaining.

And, Minister of Tourism, Culture and the Arts, I hope you look at the clause that talks about the general manager. And I think that clause, that individual,

whoever is chosen, really, you know, when you look at the clause it leaves much to be desired. It just does not give any kind of qualification, experience, et cetera, because we are talking about a billion-dollar investment. Madam Speaker, when you go to the clause on committees, I have an issue and a concern with the appointment of committees, and that is clause 16. Clause 16 states, “Appointment of Committees”.

“The Board may appoint committees comprising its Members or other persons, to assist in the performance of the functions of NAPA.”

This is the NAPA Bill, and I am assuming it mirrors the SAPA Bill, clause 16(1). So both NAPA and SAPA, it talks about:

“The Board may appoint committees comprising its Members or other persons, to assist in the performance of the functions...”

So, Madam Speaker, when I read this in isolation, the board has the power to appoint any committee—and I mean friends, family—and they are paid, the board comes up with the remuneration of those individuals who sit on that committee. And the board may appoint committees comprising of any reason. So, to me, Madam Speaker, the Minister needs to look at this clause, because while we are trying to contain expenditure, contain the whole facility expenses, Madam Speaker, this clause alone could be a runaway issue for the board and for the Minister, Madam Speaker. So I ask the Minister to look at that clause to see how it could be strengthened, because really and truly you really do not want a board—and the Minister might not be always on top of his board, but the board is hiring different committees for different insignificant aspects that will create further expenses for the Government and the taxpayers of this country, Madam Speaker.

Madam Speaker, I come back to clause 20 and I saw the clause here when I mentioned about the appointment of the general manager. I just want to read it in,

clause 20:

“The Board shall appoint a General Manager of NAPA”—and also SAPA—
“on such terms and conditions as are approved by the Minister.”

And I have all faith that the Minister will ensure that the individual who is chosen is the right individual. But Minister, you might not be there, you might be transferred to another Ministry, but I am hoping that clause 20 is so strong that whether you are there or not, that somebody of experience, that represents the taxpayers of this country, can fill that position to give the country some comfort. Because that general manager, in my view, has to be a magician that is required to bring that—those two facilities, because you have two general managers, two self-sustaining, for the taxpayers of this country.

Madam Speaker, I want to get back to NAPA a “lil” bit. And the Minister mentioned, when he was giving us his history about NAPA and the different aspects of NAPA. The training facilities, the 1,200-seat auditorium, et cetera. Now, NAPA is a very important facility for the taxpayers and the country, and NAPA did not come very easy for us, Madam Speaker. Because when the Minister was talking about the hotel, not only today, but previously in the Senate when the Bills were passed, and I want to ask the Minister, that at some point in time in 2019, Minister, there was a—Cara Suites was given the contract to run the hotel facilities of NAPA. And that is very important, Madam Speaker, because the country was told that Cara Suites is going to operate the hotel. Because the hotel is very important, a 52-room facility that is a taxpayers’ concern, and it could be generating revenue to facilitate NAPA as a whole. So, I am asking the Minister in his wind up, whatever became of that? Because in the Senate back in January 15, 2019, the late Sen. Khan had said, and I quote:

“In this context, proposal to operate the hotel wing of the NAPA was invited

by the Ministry of Trade and Industry from the private sector and a preferred hotel operator was selected. Negotiations with the preferred operator was in their final stages and barring unforeseen circumstances, the hotel at the NAPA is expected to open for business later in 2019.”

So I ask, because the country would like to know what became of that operator? Did they start, and what became of that hotel aspect under Cara Suites? Now, Madam Speaker, the hotel part of NAPA has always been a problem for this country, not only for us as a country, but I think for Diego Martin West. Madam Speaker. Madam Speaker, when the hotel that was being built according to the Minister of Tourism, Culture and the Arts, when it was being built the Member for Diego Martin West had a problem, and I read it in his book, Madam Speaker.

Mr. Young: 48(1), Madam Speaker. I know he has a problem with the Member for Diego Martin West, but let us get on with it.

Madam Speaker: Member for Pointe-a-Pierre, I uphold the objection. We are not talking about the building of the hotel, we are talking about a Bill for the management of the entity. Please continue along the right track. I uphold the objection.

Mr. D. Lee: Thank you, Madam Speaker. So, Madam Speaker, I ask the Minister in his winding up, if he can tell us what is the stage of any new operators and what is his plan for the hotel aspect going forward? Madam Speaker, I want to ask the Minister, the entire loan operation of NAPA and SAPA, would it be brought under these two companies, because there is a vesting part of the Bill. The vesting part of the Bill is clause—I think coming to the end of the Bill clause 39, the vesting of property, and I quote:

“All rights, title or custody to property of the Government, real or personal, existing in relation to the National Academy for the Performing Arts

immediately prior to the coming into force of this Act shall...”
—be commenced so forth.

So I ask the Minister, the vesting in the property would also the loans—the big loans that are out there, that is owed on the facilities, both facilities—would it be subdivided, and now it is part on the books of the company? So, I just seek clarification on that. So then if it is not going to be then the Government of the day, the taxpayers, are still responsible for facilitating those facilities, those loans separately as a debt to the Government of Trinidad and Tobago.

Thank you, I see you are acknowledging, you are shaking your head, through you, Madam Speaker. So, Minister, as I come to a close, I really hope that the two boards that are being placed in the two separate companies really gives—the complement of those boards, the members that sit on those boards beside culture, but really and truly that the management aspect, the promotion, the marketing, is so critical for us to be able to, for that board to be able to generate the kinds of revenues, because right now, Madam Speaker, it costs approximately \$7 million on each facility, thereabout, give or take a few million, to just keep the lights on presently.

So, whatever board that comes in place has a great challenge, given the times that we are in now, given the whole change of how we did things as a business model, whether it is in culture, et cetera, Madam Speaker. Given what the pandemic has done globally has made us have to change the way we operate. And even in the cultural aspect, Madam Speaker, that we are now asking these board members, the general manager, even the Minister of Tourism, Culture and the Arts, to generate the kind of revenues that could self-sustain as a minimum to keep these facilities going, even if it is to cover just their recurrent expenditure, it will be a great challenge going forward.

So, Madam Speaker, I really hope that some of the suggestions I have asked the Minister to look at, to strengthen the type of board members that sit on his board, and even the facility aspect, and even the hotel. Maybe you might have to consider changing the hotel to maybe state-of-the-art offices to generate maybe more income going forward. So I want to thank you for the time, Madam Speaker. With those few words, I thank you.

Hon. Members: [*Desk thumping*]

Madam Speaker: Member for Diego Martin Central.

Hon. Members: [*Desk thumping*]

The Minister of Communications and Minister in the Office of the Prime Minister (Hon. Symon de Nobriga): Thank you, Madam Speaker. Madam Speaker, it is my privilege to enter this debate on behalf of the constituents of Diego Martin Central in general, but in particular those of them who are artistes and creatives, and a part of the creative community and the art and entertainments industry as we speak about the National Academy for the Performing Arts, Bill 2022 and the Southern Academy for the Performing Arts, Bill, 2022. So I thank you and them for the opportunity to do so.

Madam Speaker, it is instructive that this Bill comes before this honourable House mere days after what would have been under normal circumstances the climax of the greatest show on earth, Trinidad and Tobago Carnival, wrapping up, as it were, a week characterized by some of the most creative displays of the arts and culture that any country could imagine. Madam Speaker, the Minister of Tourism, Culture and the Arts would have taken the time to spell out in some detail, the various provisions contained in the 40 clauses of these Bills. Madam Speaker, one would think from the contributions opposite that he did not take that time. It is not my intention to be accused of tedious repetition by my colleagues

opposite. However, Madam Speaker, I do believe that some historical context is important in this debate, and there are a few clauses that I would like to touch on, and a few examples that I would like to use. But you have my assurance, Madam Speaker, I will not dilly-dally on them.

Madam Speaker, from their inception, the governance of these facilities have undergone some incarnations, beginning as my colleague would have outlined with a trifold suite—a trifecta as you may describe it, of managers, each having responsibility for one element of the infrastructure. It then evolved into a very cumbersome and archaic structure introduced by our friends opposite, wherein it was managed by a department within a Ministry, very much like what would have previously obtained in the management of our local community centres.

That being said, Madam Speaker, these two Bills before us, and in light of that, are as profound as they are straightforward. They seek, Madam Speaker, to institutionalize an arrangement that will take us out of the realm that previously existed in the management of some local community centres for example, where the keepers of the keys became de facto owners of the facility. Madam Speaker, in those scenarios, those keepers of the keys would allow only those with whom they had some sort of affiliation to benefit from space. Madam Speaker, those keepers of the keys would have been able to collect moneys without any real accountability. And, Madam Speaker, most unfortunately, those keepers of the keys quite often simply watched on as due to a lack of maintenance those facilities deteriorated to a state beyond repair. Madam Speaker, I am sure that there are Members opposite and Members on this side that have their own version of those scenarios, where persons determining the use of state-owned facilities by whims and fancies, and where community growth, and especially the activity of youth in the community would often grind to a halt, because of the stubbornness and

selfishness of these managers. But, Madam Speaker, with those two Bills before us today, there is greater clarity and robustness in the governance arrangements of those two magnificent state assets.

Madam Speaker, the composition of the board, which is dealt with in clause 7, by way of example, gives me great comfort as it speaks to the inclusion of persons possessing the necessary qualifications and experience, not only in the performing arts, but also in culture, in law, in engineering, in finance, in IT, in marketing and in human resources, to name but a few. Now, Madam Speaker, what does that do? Well, it allows the board to benefit from the vested interest, and in many ways the emotional attachment of people who are part of the industry. But not only that, what it also does is have the board and the strategic direction of the board influenced by other skillsets, influenced by other lived the experiences. Such an inter-disciplinary board, Madam Speaker, is not only certain to bring about radical change in the manner in which these assets are both managed, and more importantly, or just as importantly, maintained. But, by declaring a body corporate will cause to be visited upon it a greater degree of financial scrutiny of oversight, and again of accountability. Madam Speaker, just as this Government did with the Special Economic Zones Bill, these two Bills at clause 17, also improve a grave responsibility on each board member. That is the requirement to disclose any actual or contingent interest in any person or entity carrying out business with either NAPA or SAPA within three months of their appointment, and again within three months of the anniversary of their appointment to the board.

4.30 p.m.

Madam Speaker, one of the persons opposite who contributed spoke about, what was it, board members can appoint friends and family to the committee and spoke about political influence and what not. Madam Speaker, before I continue I

want to assure the Members of this House and more importantly the citizens of this country, that although it is difficult to see the world through any lens but that of your own political experience, I give them, I want to give the Members opposite the assurance that we on this side are not cut from the same cloth as they are.

Madam Speaker, the obligation to declare one's interest is not limited solely to the members of the board. It has been extended to the general manager that was highlighted by the Member for Pointe-a-Pierre at clause 27. Madam Speaker, the fact that this is imposed on the person in whose hands the day to day management, the operation of these multimillion dollar assets rest speaks volumes, faced with the same penalties of the board, I am certain that necessary declarations will be more than forthcoming.

Madam Speaker, some may think that that is an overreach, but yet again this Government is intent on ensuring the greatest transparency in the management of these state assets.

Hon. Members: [*Desk thumping*]

Hon. S. de Nobriga: While simultaneously, and, Madam Speaker, unfortunately today, again, we have been reminded that we have a duty to protect the name and the integrity of those citizens who answer the call to serve. Madam Speaker, one of the most interesting features of these two Bills is that it expands the range and the quality of support measures that can be put in place for the long term sustainability of these assets beyond the sole provision of the built infrastructure.

Madam Speaker, clause 29 of these Bills empowers the Academies to raise and receive their own funds separate and apart from that which is appropriated to them by this Parliament from the Consolidated Fund. Madam Speaker, speaking plainly, if ever there was a time to wean state enterprises and other institutions from their absolute dependence on the national treasury, that time is now. Madam

Speaker, there is another and perhaps an even more fundamental societal philosophy underpinning our treatment of the creatives and the creative arts that these two Bills in my opinion seek to remedy.

Again in my opinion, Madam Speaker, the current culture as a whole, and I use that as a very broad reference point; the current culture as a whole is treated by many in society as a public good or something that is owed to the society and must be delivered to them free of charge. This situation could be very harmful to artistes and creatives alike, because it denies them of at least two fundamental rights. Firstly, the recognition of their activity as a legitimate career and secondly, rightful compensation. And likewise it also denies a society the kind of progress that artistes and creatives and their entire value chain can deliver.

Madam Speaker, in preparing for today's debate and no doubt influenced by the taste of the season that has just concluded, I was drawn to the words of one of our—this country's most talented poets, Mr. Ian Alvarez, better known as Bunji Garlin. I am sure he is known to you, Madam Speaker, who just last year would have sang a song called "Heart of the People". And in that song, Madam Speaker, he speaks to persons' inability to understand the economic value of culture.

Madam Speaker, I hope you will allow me. He speaks to persons who are in these events, in these fetes, in these parties, in these spaces very often are not concerned with anything that is outside of the three square feet they find themselves in. They do not think about the people who are hired to run and install pipes and trussing; they do not think about the people who are hired to build tents or hired to do lighting; they do not necessarily think about the firemen and the police and the ambulance; they do not think about the young people riding around on their bikes selling ice or the security outside the event monitoring cars or the vendors both inside and outside of the event.

Madam Speaker, to quote Mr. Alvarez:

“You so caught up...”—in the—“enjoyment

That you don’t see the level of employment...”

Madam Speaker, the proper and efficient management of these two modern facilities both of which have provided significant enhancement to their locations simply through their architectural beauty will ultimately result in the creation of employment for persons involved in the arts beyond the actors and performers who grace the stages.

Madam Speaker, this Government is acutely aware that after close to two years enduring this pandemic the arts and cultural industries remain among the hardest hit by the economic crisis inflicted by COVID-19. And it—if you would allow me, Madam Speaker, it is because this caring Government acknowledge the stark reality that no effort was spared in ensuring that persons involved in the creative sector benefited from government’s disbursement of funds to cope with the fall out of the COVID-19 pandemic. And with the Minister of Tourism, Culture and the Arts here I want to highlight his role and that of the Ministry of Finance in doing that.

Madam Speaker, it is a reality that during economic downturns the creative sector is acutely vulnerable in terms of not only earning income but also being able to attract investment. But I am certain that if managed in the way that these two Bills envisaged, these state assets can be instrumental, not only in enhancing social inclusion, and developing intercultural dialogue and shaping our identity as a territory, but also and very importantly on the economic side, stimulating tourism development, creating jobs and enhancing the investment climate for projects in the arts.

In other words, Madam Speaker, investment in our culture can generate

returns both in the form of social benefits and economic growth. But that investment is not only in terms of providing the physical infrastructure but more importantly the managerial architecture that would support the aspirations of all of those involved in its use. One way to begin this process, Madam Speaker, is to ensure that these two institutions are recognized and treated as having the potential to be significant contributors to the diversification of our national economy and the catalyst for growth of the country's orange economy.

And, Madam Speaker, just by way of definition, I cannot remember if it has been dealt with before, but I want to speak about the definition of the Orange Economy.

“The Orange Economy,”—according to UNESCO—“also known as the Creative Economy”—and it—“is the bringing together of sectors of the economy ‘whose main purpose is the production or reproduction, promotion, dissemination and/or the marketing of goods, services and activities that have cultural, artistic or patrimonial content’...”

Madam Speaker, this investment is yet another representation of this Government's commitment to diversification. Just this week we saw our Minister of Trade and Industry taking real steps to the revitalization of the yachting industry through the offering of loans and grants to small businesses and micro businesses, many of which are owned, managed and employ young people who should be considered creatives and artisans in their own right. And also this week we would have seen the Minister of Youth Development and National Service along with the Minister of Agriculture, Land and Fisheries launch the Youth Agriculture Homestead Programme, where again the Government demonstrated our commitment to diversification through support of the agricultural sector and for young people specifically.

Madam Speaker, economic diversification remains a huge challenge for most developing countries like Trinidad and Tobago. And this Bill today is yet another marker put down by this Government, guided by *Vision 2030* as was so eloquently described by the Minister of Education, but also guided by our Road Map to Recovery Plan, where we have specifically identified the creative and cultural industries as a sector for new emphasis and also our commitment to the UN Sustainable Development Goals, and in particular, today, Goals Nos. 8, 9 and 11 which speak to decent work and economic growth, industry innovation and infrastructure and sustainable cities and communities. The establishment and proper management of creative spaces for our artistes will go a long way in ensuring that the creative sector in all its dimensions is provided with the space and opportunity to work all through the year.

Madam Speaker, I have absolutely no doubt in my mind that in the same manner in which Queen's Hall, the Naparima Bowl, Little Carib Theatre, Central Bank Auditorium and other similar spaces have become places for gainful employment by many. So too will the National Academy for the Performing Arts and the Southern Academy for the Performing Arts become hubs of year-round employment for hundreds of creatives, but it begins and ends with the proper management of the space. And that is the reason we are here today, that is the reason for the two Bills placed before us. Today we have the opportunity to correct some anomalies of the past, today we have the opportunity to contribute to advancing significantly the managerial architecture of the creative sector as a whole.

Madam Speaker, I would have thought that those opposite would have contributed in a way that would lend real value to this discussion. Unfortunately, what we saw were Members opposite consistently following a scripted and

purposeful campaign of undermining and creating doubt at everything that they could throw an accusation at, Madam Speaker.

Hon. Members: [*Desk thumping*]

Hon. S. de Nobriga: Madam Speaker, I say today, on behalf of the constituents of Diego Martin Central, and again in particular our artistes and creatives, that I congratulate the Minister for bringing this most timely Bill. I harbour no reservation that the good citizens of Trinidad and Tobago, in whose hands we will entrust these assets, will do a remarkable job. And that under the guidance of this Minister of Tourism, Culture and the Arts the sector will take its rightful place as a significant contributor to the national economic pie. Madam Speaker, I thank you.

Hon. Members: [*Desk thumping*]

Madam Speaker: Minister of Tourism, Culture and the Arts.

Hon. Members: [*Desk thumping*]

The Minister of Tourism, Culture and the Arts (Sen. The Hon. Randall Mitchell): Madam Speaker, thank you for the opportunity to wind up this very important debate on these very two important Bills. I want to thank all the persons who contributed, in particular, the last debater, the Member for Diego Martin Central for adding some bright ideas and that bright spark that is now needed in this country in the management of our culture and cultural products in order to improve economic value in this country. I wish to commend the Member for Diego Martin Central.

Hon. Members: [*Desk thumping*]

Sen. The Hon. R. Mitchell: I also wish to commend, Madam Speaker, the Member for St. Ann's East. Of course this is work started by the Member for St. Ann's East in her capacity as Minister of Community Development, Culture and the Arts, and continued by me, her successor. But I also want to mention

specifically her passion in ensuring that these vehicles are created statutorily to ensure proper governance models and proper management models for the management of two of our flagship properties in Trinidad and Tobago. I really want to commend the Member for St. Ann's East.

Madam President—Madam Speaker, I am tempted to say I speak often in both Houses but, Madam Speaker, I do not. But, Madam Speaker, there was once a time between 2015 and 2020 that I along with the Member for Moruga/Tableland stood proud to see the intellectual capacity and the intellectual product coming out of that region of Trinidad. Today, Madam Speaker, that pride escapes me. But I do not want to be too unkind to the hon. Member for Moruga/Tableland because clearly the hon. Member simply does not understand the creation of statutory bodies and the management of statutory bodies as compared to the management of Ministries. So I do not want to be unkind, as painful as it was listening to her contribution. But the hon. Member for Moruga/Tableland spoke at length about this national arts council.

And, Madam Speaker, the Member was repeating some tired old talk and old policies emanating from someone who consider themselves a part of the arts society in Trinidad and Tobago, Rubadiri Victor. But what the hon. Member does not know is that same gentleman, Mr. Victor was a special advisor to the UNC under Minister Lincoln Douglas, specifically in the area of culture, between the years 2010 to 2015. So what happened, Madam Speaker, to all those bright ideas during that period of time? And what explains Lincoln Douglas as he then was, Minister Lincoln Douglas and the UNC's total, what should I say, total ignoring of all the bright ideas coming out of that gentleman.

Mr. Ratiram: Madam Speaker, Standing Order 48(8). This is not a Motion about the Opposition and about Lincoln Douglas. This is not a Bill related to what the

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Member is referring to at this time.

Madam Speaker: So, Member, when you raise the Standing Order, that is sufficient. Please continue.

Sen. The Hon. R. Mitchell: I thank you, Madam Speaker, but hon. Members should know that I am actually supporting and supportive of the past decisions that Lincoln Douglas made to ignore the individual and all his old talk ideas.

Madam Speaker, again the talk about consultations and the lack of consultations, Madam Speaker, that is nothing original. Same arguments emanating from the other place the Member sought to repeat. But as I indicated in my piloting of this Bill, consultations with the stakeholders have been going on since the year 1988 under a different government, under the NAR Government, continued by the PNM Government, between the years 2000 to 2005 and then continuing, 2002 and onwards until these facilities were completed.

The hon. Member for Moruga/Tableland also spoke about these buildings not being physically suited for hosting events. I am tempted to invite the hon. Member to take a tour of these facilities because clearly the hon. Member has never visited the National Academy for the Performing Arts nor the Southern Academy for the Performing Arts. And then most unfortunately—

Ms. Benjamin: Madam Speaker, I rise on 48(8). This Motion is neither about myself nor—

Hon. Members: [*Crosstalk*]

Mr. Deyalsingh: The Member is responding.

Madam Speaker: Overruled.

Sen. The Hon. R. Mitchell: Thank you very much, Madam Speaker. And the Member very disappointingly and unfortunately sought to blow a type of dog whistle in saying that chutney events are not allowed and tassa events are not

allowed to be held in these performing spaces. Madam Speaker, incidentally on Monday and Tuesday, Jules Sobion who is a promoter and a creative had a show called Rhythm, “Bring Yuh Riddim”, and incidentally, Madam Speaker, tassa and chutney were central to that show.

Hon. Members: [*Desk thumping*]

Sen. The Hon. R. Mitchell: In fact, Madam Speaker, it was Drupatee on stage with tassa singing “Roll up de tassa, Bissessar”.

Hon. Members: [*Desk thumping*]

Sen. The Hon. R. Mitchell: Madam Speaker, the auditorium that is in the Southern Academy for the Performing Arts is named after Sundarlal Popo.

Hon. Members: [*Desk thumping*]

Sen. The Hon. R. Mitchell: Does the Member not know who Sundar Popo is? I know who Sundar Popo is. I know about Bhojpuri. It is unfortunate that the hon. Member does not know this.

Ms. Benjamin: Madam Speaker, I rise on 44(8). Madam Speaker, when I made that statement, I was referring to—

Madam Speaker: Member, Member. Overruled.

Sen. The Hon. R. Mitchell: Thank you very much, Madam Speaker. And I would end with saying, Madam Speaker, the Member for Moruga/Tableland does not know that whether it be in a water park or on one of these performing stages, the Member for Oropouche East sometimes finds himself singing. So I reject the dog whistle blowing, Madam Speaker, but clearly the hon. Member clearly does not understand the creation, the management and the operation of statutory boards. How the boards are selected, when you see “Minister”, it really means “Cabinet”. And I do not know if it is I should hold the Member for Pointe-a-Pierre because the Member for Pointe-a-Pierre was very clear and gave some very good suggestions

and made some very good points as he articulated. I do not know if I should cast blame upon the Member for Pointe-a-Pierre for not educating his Bench on how statutory boards or statutory bodies are created and run.

So I will get to the Member for—and just to reiterate the point, Madam Speaker, during the pandemic SAPA and NAPA held quite a number, dozens of productions during that period, dozens of productions. The Member for Pointe-a-Pierre is correct. The Member for Pointe-a-Pierre sought to bring the debate back to its centre, which is, this debate is about creating a vehicle for the governance and management of the National Academy for the Performing Arts, NAPA, and the Southern Academy for the Performing Arts. And the Member for Pointe-a-Pierre is absolutely correct. These are incredibly critical and crucial Bills for these properties that cost a billion dollars. When I identified figures in my piloting, just for clarification, I identified the original cost figures, the cost of construction. Of course, added to that was the cost of the variation for the removal of the tennis courts to King George V Park, as well as a sewage line in San Fernando, but also their design and consultancy fees and so on, that were funded through the IDF. And it is correct that two properties cost approximately \$1 billion. So, the Member for Pointe-a-Pierre is absolutely correct.

The Member for Pointe-a-Pierre referred to clause 6 and he made a lot of weather about persons in culture and in the performing arts being placed or being selected to be on the board. Well, clause 6 clearly says that persons within the spheres of culture or the performing arts shall be on the board. This is a nonstarter. Persons from culture and the arts must be on the board. But also, because the statutory body, that is NAPA, it does not only treat with culture or the performing arts, it also treats with maintenance. That is why we have somebody there who must be qualified in engineering.

We are in the era of digitization so it has somebody there with experience, it calls for experience of IT, law. NAPA and SAPA as statutory bodies, as bodies corporate will now be responsible for collecting and receiving its own moneys and applying those funds. So you need persons there who have qualifications and experience in accounting and in finance. So a lot of thought was put into the composition of these boards.

The Member for Pointe-a-Pierre also spoke about clause 20 and he spoke about the qualifications of the general manager. And I personally, Madam Speaker, have not seen where the full job specification and job description of general managers are put into parent legislation. That comes when you entertain the organizational design, where you design the structure to operate and manage the property, the facilities, and it is then whether through PMCD or whether through a consultant they would engage in the organizational design and in creating the job descriptions and the job specifications of the general manager and other members of staff. That is what is generally done.

So, Madam Speaker, it is not unusual in many other similar pieces of legislation for provisions to be made for the co-opting of committee members to be a part of boards. And that could be for a special purpose. For example, you may wish to put on some sort of steelband festival, you may wish to put on some sort of film festival and you create a special committee for that purpose. And in that regard you may wish to get persons who are involved directly in film, you co-opt them to that committee and they are remunerated. It may be that you may wish to create committees to create standard operating procedures, a number of management policies and a committee of that nature would be responsible for ensuring that these things are established at these facilities.

With respect to the NAPA Hotel, the Member for Pointe-a-Pierre is correct,

there was an RFP and there was a successful proponent of that RFP, successful proponent was Cara Suites. But the fact that that has not gone forward, and I indicated it in my piloting of the Bill, you are underscoring, through you, Madam Speaker, to the Member for Pointe-a-Pierre, you are underscoring the reason why we must have these bodies corporate—created by statute. And it is not limited liability companies, it is not state enterprise, it is a body corporate, so it is held to a much higher standard. But it underscores the need for these vehicles, the reason why we could not go ahead with the engagement of an operator for the hotel, who was going to be the other party to the lease, because a lease would have to be generated. Who owns the property? Who owns the land beneath the property?

5.00 p.m.

This Bill—these Bills cure that, where all the property will now be vested into the statutory authority, into a legal entity, and that legal entity will now be able to contract with other parties, including a hotel operator, for the maximization of the earning potential of that facility, that is NAPA.

So, Madam Speaker, I wish to thank you again for this opportunity. Government continues to recognize that culture and the arts in the creative sectors are integral to our national identity, belonging and purpose, as well as emblematic of the strength and energy of our peoples. The creation of these bodies corporate will contribute significant benefit to our creative sectors and, by extension, the national economy. As bodies corporate, NAPA and SAPA will be able to efficiently discharge its duties including risk alleviation, befitting upgrade and maintenance; business management; the competitive exploitation of its assets, both real and personal; improved financial recordkeeping and reporting and relating matters.

The newly configured NAPA and SAPA will serve as critical agents of

change that will revitalize our competitive edge and provide even greater contributions to our existing cultural scholarship. Improved dynamic decision-making from a well-constituted board possessed of the key competencies will not only safeguard the academies interest but will also develop and champion the academies business governance system in a manner that will further elevate these important national performing spaces for generations to come.

Madam Speaker, I thank all contributors for contributing and I beg to move.

Hon. Members: [*Desk thumping*]

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Mr. Al-Rawi: Madam Chair, insofar as there are no circulated amendments, is it convenient to take it in batches?

Madam Chairman: I was going to suggest that we take it in parts.

Mr. Al-Rawi: Should it please you.

Madam Chairman: Yes? Whip.

Mr. Lee: The Member for Moruga/Tableland had some amendments.

Madam Chairman: Were they circulated?

Mr. Lee: No, no. Go ahead.

Clauses 1 to 40 ordered to stand part of the Bill.

Question put and agreed to: That the Bill be reported to the House.

House resumed.

Bill reported, without amendment, read the third time and passed.

SOUTHERN ACADEMY FOR THE PERFORMING ARTS BILL, 2022

UNREVISED

Order for second reading read.

The Minister of Tourism, Culture and the Arts (Sen. The Hon. Randall Mitchell): Madam Speaker, I beg to move:

That a Bill to provide for the establishment of the Southern Academy for the Performing Arts and for the management and control thereof and for related matters, be now read a second time.

Question proposed.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Mrs. Robinson-Regis: Madam Speaker, if we could adopt the same procedure as we did with the previous Bill?

Madam Chairman: Okay. So we will proceed as we have done before.

Clauses 1 to 40 ordered to stand part of the Bill.

Question put and agreed to: That the Bill be reported to the House.

House resumed.

Bill reported, without amendment, read the third time and passed.

FOREIGN LABOUR CONTRACTS (REPEAL) BILL, 2021

Order for second reading read.

Madam Speaker: The Minister of Labour.

Hon. Members: [*Desk thumping*]

The Minister of Labour (Hon. Stephen Mc Clashie): Thank you, Madam Speaker. Madam Speaker, I beg to move:

That a Bill to repeal the Foreign Labour Contracts Act, Chap. 88:11, be now read a second time.

Madam Speaker, the overriding rationale for the appeal of this piece of legislation is the fact that the Foreign Labour Contracts Act, formerly the Foreign Labour Contracts Ordinance, was enacted to curb a mass outward migration of labourers from Trinidad and Tobago which would have threatened the economic stability of the country and the colony at that time. In the current Act, section 3 stipulates that:

An—“...employer, or any person acting...on behalf of...”—an—
“...employer...”—must first obtain the written leave of the President before any person is hired—“to leave Trinidad and Tobago...for the purpose of...”—taking up employment in a—“foreign country.”

“Foreign country”, Madam Speaker, is defined under section 2 of the Act as: “...any country not within the Commonwealth...the President...”—must also proclaim this country as a foreign country—“for the purposes of the Act.”

Consequently, the Act would remain dormant unless brought into force against a particular country that has been proclaimed by the President to be a foreign country.

Madam Speaker, the Foreign Labour Contracts Ordinance came into force on February 10, 1900, and Trinidad and Tobago at that time was still under the British colonial rule. In the years that followed, the people of Trinidad and Tobago fought long and hard to break their colonial tides and achieve self-governance. The hard work of our forefathers eventually culminated in us gaining independence on the 31st of August, 1962, followed by Trinidad and Tobago becoming a Republic on August 01, 1976. Despite these monumental achievements and such significant progress, the Foreign Labour Contracts Ordinance failed to progress at a similar pace. Instead, the Ordinance still reached its original character and form as when it had first been enacted in 1900.

[MR. DEPUTY SPEAKER *in the Chair*]

Mr. Deputy Speaker, the last proclamation made under this Ordinance was in 1946, and since that time the Foreign Labour Contracts Act has not been enforced and has instead been in abeyance. This particular piece of legislation is over 121 years old. Not only does it predate the lifetime of all of us present in this House today, Mr. Deputy Speaker, but it clearly signals that this piece of legislation has not kept up with changing realities.

Mr. Deputy Speaker, the Foreign Labour Contracts Act has been absent from the *Hansard* in Parliament over the years and there has been recorded public interest in this Act. This seriously calls into question the utility and relevance of the Act today. Moreover, whilst the Act has remained stagnant for all these years, Trinidad and Tobago, on the other hand, has developed and progress significantly since 1900. To put it simply, Mr. Deputy Speaker, the Act is archaic and the principles it contains in no way reflect the modern democratic realities of Trinidad and Tobago. As Theodore Roosevelt said, I believe that:

“The more you know about the past the better you are prepared for the future.”

As such, it is necessary, Mr. Deputy Speaker, for us to look at this past and to see where it has taken us to date and whether or not our current realities reflect that this Bill should stand. The social and economic conditions in Trinidad and Tobago in the 1900's and at the turn of 20th Century provided the impetus for the introduction of this Ordinance by the then colonial government. The working class population of Trinidad and Tobago grappled with bleak living and working conditions, low wages and dismal economic prospects in the early 1900's. Many disgruntled labourers began to seek opportunities in other Caribbean nations. Mr. Deputy Speaker, what happened at that time also is that construction began in

nearby Panama on the Panama Canal and this project drew thousands of West Indians from all the neighbouring islands, including Trinidad and Tobago, who went or wanting to go to Panama to improve their lot and status in life.

The debates of the Legislative Council in the 1900 revealed that the Council originally passed the Ordinance to prevent immigration from Trinidad and Tobago to the Panama Canal since at that time it absorbed so many hands. This mass outward migration threatened the fragile economy of the colony and, as a consequence, the then colonial government sort to control the movement of labourers beyond our shores. There was work to be done in Trinidad and Tobago in the oilfields, the coconut plantations and the sugar and cocoa estates, and labourers were needed. The Ordinance was therefore the solution chosen by the then colonial government to remedy the problems and challenges faced at that particular time. But, Mr. Deputy Speaker, what is our current reality?

In 121 years since the Ordinance first was enacted, Trinidad and Tobago, and indeed the wider Caribbean, have come together to support and even encourage movement of skilled workers among the various islands. The Caricom Single Market Economy, CSME, initially envisioned the establishment of a common market within the Caribbean region. One of the fundamental hallmarks of the CSME is the promotion of free movement of skilled Caricom nationals and non-wage earners either to provide services or to establish businesses. In this way, trade and investment is facilitated throughout the Caribbean and work permits are rendered obsolete.

Since the 1960's, Mr. Deputy Speaker, the Government of Trinidad and Tobago has encouraged the free movement of nationals to Canada in order to partake in the Canadian Seasonal Agricultural Work Program. The programme provides Canada with a cost-efficient way of sourcing contractual agricultural

workers on a seasonal basis to meet the short-term demands required in that country to move their agricultural sector forward. As you can see, Mr. Deputy Speaker, the pre-existing legislation does not provide what is needed in today's society. It may have proved necessary at one point but the world is continuous moving and evolving. As such, the question of free movement of persons have developed. It is deemed as a quintessential element of the modern day society that we move in this direction.

The concept reflects the freedom of citizens to migrate and utilize work elsewhere. It enables individuals to seek life outside of Trinidad and Tobago, thereby avoiding confinement to a country where there may not be many opportunities available. The free movement of persons is a right conferred on every citizen of Trinidad and Tobago, and their ability to migrate and work in other countries should be assured. In the other place, Mr. Deputy Speaker, a number of questions arose with regard to what would be put in place to ensure that the human rights of workers are in fact safeguarded and protected if this Act was repealed.

Mr. Deputy Speaker, protection of the fundamental rights and freedom of citizens of Trinidad and Tobago is of paramount importance to this Government and indeed the people themselves. As previously noted, a reading of the Foreign Labour Contracts Act demonstrates that when the Ordinance was enforced against a particular foreign country, there were stringent restrictions on the free movement of labourers and harsh penalties were applied against those who contravened it. In fact, contravening section 3 of this particular Act as existed meant that you were opened to a fine of \$4,500 or six months' imprisonment.

Should the Foreign Labour Contracts Act even be put in force, it would mean that all nationals willing to take employment in foreign countries would have to obtain, as a prerequisite for their departure, the leave of the President of the

Republic of Trinidad and Tobago.

Therefore, any proclamation made under the Foreign Labour Contracts Act will be an infringement on the fundamental rights and freedom of movement afforded to each citizen of Trinidad and Tobago.

5.30 p.m.

As a democratic nation, Trinidad and Tobago is founded on respect for the rights of freedoms of individuals. The principle of freedom of movement has also been enshrined in section 4(g) of the Constitution. The Universal Declaration of Human Rights to which Trinidad and Tobago is bound, having signed on as a Member State, states in Article 13 that everyone has the right to freedom of movement. Furthermore, Trinidad and Tobago is also bound by the International Covenant on Civil and Political Rights of December 21, 1978, which requires countries to respect the civil and political rights of individuals, including the right to freedom of religion, freedom of speech, freedom of assembly, freedom of electoral rights and freedom of movement as covered in Article 12.

Moreover, Mr. Deputy Speaker, many nationals ventured abroad privately to work as many times as they please without requiring the permission of the President of the Republic of Trinidad and Tobago. Therefore, to amend the Act in any way or to replace it with similar legislation would be wholly impractical and unmodern. There are no modern provisions or protections that correlate with or are akin to the intent of this Act.

Mr. Deputy Speaker, another point raised in the other place sought to imply that when the Ministry of Labour conducted the national stakeholder consultation on March 29, 2019, there was a view that the legislation ought to be amended rather than to be fully repealed. Moreover, it was stated that the Ministry failed to consult with certain trade union representatives. Mr. Deputy Speaker, I wish to

categorically deny such fabricated statements. The move to repeal this Act is not being made in isolation and the Ministry of Labour has undertaken extensive tripartite consultation with stakeholders.

On March 29, 2019, the Ministry hosted a national stakeholder consultation on the review of the Act. Prior to hosting this national consultation, the Ministry sent out invitation letters to 56 stakeholders inclusive of national and international agencies, Government and non-governmental organizations and trade unions to comment on the Act. Responses were received from various stakeholders including the Equal Opportunity Commission; the International Organization for Migration; the Ministry of Foreign and Caricom Affairs; the Trinidad and Tobago Coalition of Services Industries; the International Labour Organization, Decent Work Team and Office for the Caribbean and the Tobago House of Assembly, the Division of Community Development, Enterprise Development and Labour.

The majority of responses to this call to commence noted that the Act had no modern relevance to the stakeholders' operations. These views were sought because social dialogue remains a cornerstone of the Government's approach to formulating policies and programmes and affecting legislative change as we attempt to do today. The interest advanced by employers and worker organizations are always considered in framing labour policies. Mr. Deputy Speaker, we do not intend to deviate from this practice but rather are intent on strengthening the relationships among social partners through a coordinated approach and social dialogue.

Mr. Deputy Speaker, the national stakeholder consultation was attended by 119 persons. There were representatives from worker organizations such as the National Trade Union Centre, the Joint Trade Union Movement and FITUN. Employer organizations included the Trinidad and Tobago Chamber of Industry

and Commerce and the Employers Consultative Association. There were Government Ministries and agencies such as the Ministry of the Attorney General and Legal Affairs, the Ministry of Trade and Industry, the Law Association of Trinidad and Tobago, the National Tripartite Advisory Council, the Equal Opportunity Commission, the IOM and the ILO.

In order to ensure fruitful discourse in this national consultation, Mr. Deputy Speaker, the proceedings consisted of presentations by technical experts followed by working group sessions whereby all attendees were given the opportunity to air their views on the Act. The Ministry noted that there had been an overwhelming majority support by stakeholders including the trade unions in favour of the repeal of this legislation.

Mr. Deputy Speaker, it is the duty of Government and the Opposition to ensure that all citizens have full enjoyment of their fundamental rights and freedoms. Citizens ought to be afforded the choice to pursue employment and other opportunities abroad. As a modern democratic society that has proper respect for the rights of individuals, this archaic legislation ought not to remain on our statute books thereby binding us to our colonial past. We must be progressive and legislation must respond to and treat with modern circumstances and challenges.

I do not believe that I have to convince this honourable House of the need to remove this statute from our books nor to replace it with similar legislation as I am sure we all agree that these provisions are outdated to our current circumstances. When considering the relevance of this Act to the modern Trinidad and Tobago, the following seven items should be considered. The Act came into force over a century ago. Two, it has never been amended. Three, the last proclamation made under this Act was in 1946. Four, the comments received prior to the consultation revealed that many organizations never used the Act and many confessed to having

never heard of it. Five, the Act was enacted for a specific purpose to curb a mass exodus of labour and retain control over the working class and not to protect migrant workers. Six, Trinidad and Tobago is no longer a colony and has achieved its independence. And, seven, protecting the fundamental rights and freedoms of individuals is of paramount consideration.

Mr. Deputy Speaker, repealing this legislation has the approval of the tripartite stakeholders and I therefore strongly urge the Members of this honourable House to support the passage of this Bill so as to repeal the Foreign Labour Contracts Act. We are here for no other reason. We are not here to deliver alternative legislation. We are not here to deliver speeches on what we are missing or what should be in place. We are just here to repeal an Act that makes no good sense that benefits no one and is really on our books for far too long.

I thank you, Mr. Deputy Speaker, and I beg to move.

Hon. Members: [*Desk thumping*]

Question proposed.

Mr. Deputy Speaker: I recognize the Member for Couva South and you have 30 minutes.

Mr. Rudranath Indarsingh (*Couva South*): Thank you very much, Mr. Deputy Speaker, as I join this debate here this evening as it relates to an Act to repeal the Foreign Labour Contracts Act, Chap. 88:11. And I have listened to the Minister of Labour very attentively here this evening and I think that it is not our intention on this side to be adversarial or confrontational as it relates to the repeal of this particular piece of legislation but I think too that the Minister of Labour, as an integral part of the Government of Trinidad and Tobago, has a responsibility to listen to the Opposition and to listen to the Opposition in the context of the responsibilities that we have on behalf of all citizens of Trinidad and Tobago,

whether they work within our country, they work within the region or within the global economy of the world.

And, Mr. Deputy Speaker, in piloting this piece of legislation which as the Minister said we are here for no other purpose than to repeal this particular piece of legislation, in my view, whilst I understand his approach to what he has attempted to put forward in this Chamber here this evening, he must understand also that whilst we repeal, and from a policy point of view, we must be prepared to assess where we are today and what we must do given the current reality of the global economy of the country.

And it is important for us to all understand that because during his presentation, he quoted from the Universal Declaration of Human Rights and also the Caribbean Single Market and Economy and the civil and political rights of individuals and so on and he indicated that under the United Nations Universal Declaration of Human Rights, and he quoted and indicated that in relation to Article 13 that everyone has the right to the freedom of movement and residence within the borders of each State and also in the context of everyone has the right to leave any country including his own and to return and if I could further elaborate, Article 23 also indicates that everyone has to right to work, to free choice of employment and to just and favourable conditions of work and to protection against unemployment. And in that context, we must understand our responsibility as a sovereign nation in looking after the well-being of our citizens wherever they perform work on behalf of whichever country that they gain that right to be employed and so on.

And, Mr. Deputy Speaker, the Minister of Labour gave an historical journey of this particular piece of legislation and it is important that as a country and I am sure that there are young persons who may from time to time, review the *Hansard*,

review this particular debate for whatever purpose from an educational point of view and so on and they may want to understand what this Foreign Labour Contracts Act was about because as you rightly indicated that it was enacted on the 10th of February, 1900, and today we are addressing this particular issue some 122 years after. And also when Trinidad and Tobago was part of what we would call the Crown Colony Government system and part of the British Empire.

And, Mr. Deputy Speaker, I am sure if I conduct a survey inside here within this Chamber and outside of this Chamber and even those who are within the stake-holding community and so on, whether it is the business or trade union community and civil society and so on, and you questioned individuals about their awareness and their sense of knowledge on this Foreign Labour Contracts Act, the majority may tell you that or they may be found to be wanting because they have little or no idea and background and therefore, it is important to at least establish a bit of historical context at what led to this particular piece of legislation.

And the Minister rightly indicated that it was done at one point in time to what we would call, prevent the mass exodus of workers from Trinidad and Tobago at a time when also the economy of the country needed labour from the point of view of the plantation economy existed at that juncture in our history and the focus was on sugar, coffee and cocoa production and so on and I could go on and on. I think the population at that point in time was somewhere in the vicinity of approximately 300,000 individuals and we needed at least to try and contain the exodus of the labour sector out of our shores.

And importantly too, or the reality at the time, especially around the 1900s was one of impoverished social and economic conditions at the time. And as a result of that, there were those individuals who were in search of greener pastures and so on and it is something that we must always be proud of that our citizens

played a role, West Indians played a role from the English-speaking Caribbean in terms of the construction of the Panama Canal. A place that a number of visitors go to, and they look on in awe at the operations of the Panama Canal and we must never forget that it was nationals of our country and within our Caribbean region who made this a reality.

And from the point of view of between 1900 and where we are today, we passed through various processes in terms of in 1903, if we could recollect, this very Red House was burnt down as a result of the water riots that occurred in our country, we moved through World War I, World War II and independence, republicanism and so on and we could go on and on.

But, Mr. Deputy Speaker, it is again important for each and every one of us to say and to come to the conclusion that this piece of legislation has no role or no place on the statute books in the context of a modern Trinidad and Tobago. Rightfully so and there may be those within our society from a stake-holding point of view who would have asked, and I am sure would have asked the Minister and his Ministry in relation to when the consultations that he alluded to, I think the Minister indicated that on the 29th of March, 2019, a tripartite consultation was convened as it relates to soliciting the views of all stakeholders as it relates to the repeal of this particular piece of legislation. And in fact, it attracted responses I think from approximately 56 stakeholders and 119 attendees on that particular day. And the majority he indicated were of the opinion that this piece of legislation had no place on the statute books.

But, Mr. Deputy Speaker, and again to the Minister of Labour, you belong to a Cabinet that deals with the reality of our existence in the context of our regional economy and our global economy. I am sure that you would have at least been familiar with or you would have acclimatized yourself with the views of the Joint

Trade Union Movement and FITUN and the National Trade Union Centre who were of the view that whilst it is important to repeal, something should be put in place to protect workers beyond 2022.

Hon. Members: [*Desk thumping*]

Mr. R. Indarsingh: And I say it not in the context of the Ordinance itself and about the—because if we go to the exact Ordinance and we read from section 3(1), it states that:

“Any employer, or any person acting as...”—an—“agent or attorney for...”—and—“on behalf of any employer, shall not without the leave in writing of the President first obtained, hire, engage, or induce any person to leave Trinidad and Tobago, or”—to—“send or take away any person therefrom, for the purpose of being employed by any such employer as a labourer in any foreign country.”

And it also goes on when you look at the Second Schedule of this particular piece of legislation, it states under the Second Schedule, the Foreign Labour Contracts Act and I just want to read under 1 of the Second Schedule:

“‘The Contractor’ will pay”—and—“‘The Labourer’ ...”

It says very clearly, will:

“...set out the sum of wages and the rations to be allowed to the labourer and specify the time of payment.”

And secondly:

“‘The Contractor’ will support and maintain ‘The Labourer’ if at any time during the continuance of this contract or at the expiration or sooner determination thereof ‘The Labourer’ shall become destitute, and will thereupon and thereafter and at his own costs and charges provide and pay for a suitable return passage to Trinidad and Tobago for ‘The Labourer’.”

So, Mr. Deputy Speaker, this focuses on the issue of terms and conditions of employment and at the end of the day, it would be foolhardy of a Minister of Labour and a Cabinet in the 21st Century not wanting to pay attention to the terms and conditions of citizens of our nation being employed from a regional or an international perspective and at the end of the day, Mr. Deputy Speaker, the Minister of Labour seized the opportunity. He seized the opportunity also to speak about the issue of the seasonal workers farm programme, which exists in Canada which his Ministry has jurisdiction of in terms of looking after the welfare and well-being of our citizens at the end of the day.

And, Mr. Deputy Speaker, it is incumbent upon all of us in this House whether we may want to say that there is no need for any legislation, we have a responsibility from a policy point of view and a responsibility point of view. And, Mr. Deputy Speaker, we cannot escape the fact, as I said and I cannot seek to water down this responsibility or lessen this responsibility on all of us who are part of this Chamber, to understand that Trinidad and Tobago, as I said, exists in a global economy and we must accept the fact that our citizens, whether they are labourers, they are skilled personnel, they are specialists and so on, leave our shores from time to time and go in search of employment to the United Kingdom, to Canada, to North America, the Middle East and as the famous saying goes, “ah Trinidadian is like”—we are—you will find us in everything. You would find us like “ah pinch ah salt” in everything all over the world in every nook and cranny and that is why I am saying and I am putting it to the Government and I hope that the Minister of Labour is listening to what I have to say from an Opposition’s point of view to ensure that we protect the human rights and the dignity of our nationals.

Because at the end of the day, Mr. Deputy Speaker, the Minister of Labour and I am not berating or as I said speaking in a very adversarial manner here this

afternoon. The Minister of Labour is in charge of a Ministry that he is fully aware of from a stakeholder's point of view that, we as a country too, we are a member of the International Labour Organization. The International Labour Organization, we send delegations on an annual basis to meetings of the International Labour Organization. We send delegations to regional meetings of the International Labour Organization and so on. And at the end of the day, we have a responsibility when we go to these meetings and we adopt and we ratify conventions and so on, we have that sense of responsibility to all and sundry. It may not be directly under this piece of legislation because it will no longer exist when it is repealed and we have to ask what type of policy, what kind of advocacy are we doing on the regional and international stage on behalf of all nationals of Trinidad and Tobago.

And, Mr. Deputy Speaker, from where I sit, we cannot forget and we must never forget that within the last two to three years, there were a number of headlines in terms of our nurses and our workers who worked on the seasonal programme in Canada, just to refresh the Minister's thoughts and his colleagues, I just want to refer you to a number of headlines as it relates to this particular issue in terms of our nationals existing in Trinidad and beyond the shores of Trinidad:

“...Nurses Quitting for Better Jobs as the Pandemic Rages”

“T&T can't afford to lose its nurses, says Fyzabad MP”

Mr. Deputy Speaker: Member, you seem to be quoting from a particular article, just give us the reference please?

Mr. R. Indarsingh: Well, Mr. Deputy Speaker, all these articles or headlines, I am not going into the specifics, are from newspaper headlines, reports that were found in our national newspapers over the last two years.

Mr. Deputy Speaker: So therefore, you take ownership for the words?

Mr. R. Indarsingh: Obviously, Mr. Deputy Speaker.

Mr. Deputy Speaker: You take ownership for the words?

Mr. R. Indarsingh: Yes.

Mr. Deputy Speaker: Good.

Mr. R. Indarsingh: Mr. Deputy Speaker, I take ownership.

Mr. Deputy Speaker: Thank you.

Mr. R. Indarsingh: And at no point in time, I will attempt to mislead you or this House in terms—

Mr. Deputy Speaker: No, you proceed, proceed. And you said you own it, proceed.

6.00p.m.

Mr. R. Indarsingh: Thank, you Mr. Deputy Speaker. And, Mr. Deputy Speaker, yes, as I said:

“T&T can’t afford to lose its nurses, says Fyzabad MP”

“Call to end migration of trained nurses from the region”

—and:

“Nurses migrating to fight COVID overseas”

—and so on.

Another set of headlines focused on the farm workers in Canada, Mr. Deputy Speaker, and they read as follows:

“Hundreds of migrant farm workers in Ontario denied fresh air during quarantine.”

“Hundreds of migrant workers expected to be stranded in Canada over Christmas”

“Months of misery for stranded Trinis”—workers on Canadian farms. Mr. Deputy Speaker, they feel neglected by the Government.

T&T Migrant Workers waiting and frustrated

And in that regard, Mr. Deputy Speaker, I read or I put on the record—

Mr. Deputy Speaker: Members, Members, please. Both sides of the Chamber, please no crosstalk. Go ahead.

Mr. R. Indarsingh: Mr. Deputy Speaker, the Minister of Finance, the Member for Diego Martin North/East, likes to remind this House, from time to time, that at some point in time he was a trade unionist of some repute, and I think that he should have— If it is one person who should be willing to follow this particular debate about the well-being of nationals, should be the Minister of Finance, the Member for Diego Martin North/East.

Mr. Deputy Speaker, it is important, as I said, against the background of what I have just put on the record, that we cannot abandon our nationals wherever they serve nations, Mr. Deputy Speaker. And the Government has abandoned the labour movement. They have abandoned workers. They have assaulted. They have decimated the labour movement in Trinidad and Tobago over the last seven years and that is why I understand the haphazard approach of the Minister in terms of saying that we will repeal, and the only business that we have here is to repeal and we must not focus on anything else. And I am putting it to you, Minister, that if you were part of a responsible government, caring about the nationals of Trinidad and Tobago, you will understand the term. Because a former colleague of your predecessor came in this very—I think it was in another place, in the other place and the Minister of Labour, at that point in time, promised retrenched nationals that a firm was coming to Trinidad and Tobago.

Mrs. Robinson-Regis: Mr. Deputy Speaker, Standing Order 48(1), Standing Order 48(6). Thank you.

Mr. Deputy Speaker: Right. Again, hon. Member, you have been given a certain amount of leeway. On the last point there, I prefer that you move on.

Mr. R. Indarsingh: Thank you, Mr. Deputy Speaker. As I move on, as I said, from time to time within our economy there may be employment agencies. There may be recruiters, labour recruiters, who will come to our shores and attempt to get our nationals to work outside of the shores of Trinidad and Tobago. And at the end of the day, Mr. Deputy Speaker, in the context of this debate, there may be those who may say that this is not about migrant workers. But a migrant worker means a person who migrates or who has migrated to a country of which he or she is not a national with a view to being employed other than on his or her own account.

And, Mr. Deputy Speaker, from a government point of view, we should always want to ensure that recruitment should take place in a way that it respects, protects and fulfils internationally-recognized human rights, including those expressed in international labour standards. I want to reiterate that for the well-being of the Minister of Labour in the context of international labour standards and in particular the right to prevent, in particular the right to freedom of association and collective bargaining and prevention and elimination of forced labour, child labour, and discrimination in respect of employment and occupation.

And as a government too, we must be able to ensure, or respond to the established labour market needs and not serve as a means to displace or diminish an existing workforce or lower labour standards, wages, or working conditions, or otherwise undermine the decent work agenda of which Trinidad and Tobago has signed on to, in the context of our country being a member of the International Labour Organization.

And also, if we are facilitating recruitment and our nationals going beyond our shores, we should take into account policies and practices which promote efficiency, transparency, and protection of our workers in the process such as mutual recognition of skills and qualification, Mr. Deputy Speaker. And we should

ensure, Mr. Deputy Speaker, as I said, that recruitment of our nationals across international borders should respect. This is something that we should be standing firm as a Government, from a Ministry of Labour point of view and also in terms of our existence in the context of foreign affairs and global affairs, the Ministry of Foreign and Caricom Affairs too should be keeping a very close eye and should ensure that there is respect for applicable national laws, regulations, employment contract, and applicable collective agreements of countries of origin, transit and destination and internationally-recognized human rights, including the fundamental principles and rights at work and the relevant international labour standard, Mr. Deputy Speaker.

And there should also be workers' agreements to the terms and conditions of recruitment, and employment should be voluntary and free from deception or coercion. It is very important, Mr. Deputy Speaker, because in the context of human trafficking and so on, we have a right to ensure that we know of the whereabouts, and I would plead with the Minister of Labour to ensure that there is the creation of some kind of database at the end of the day.

In this current scenario in the war that recently began between Russia and Ukraine, we heard of a Trinidad and Tobago national in Ukraine. And I am sure that the Minister of Labour will want to have a database, Mr. Deputy Speaker, as it relates to all of our nationals who are employed outside of the shores of Trinidad and Tobago. And there are those who might be frowning and toing and froing of why. You need a database so at least you know that your nationals are not being or taken advantage of, they are not involved in any human trafficking, any illegal activities, and so on. And at the end of the day, Mr. Deputy Speaker, you would want to ensure that your nationals have rights to free, comprehensive and accurate information regarding their rights and conditions of their recruitment and

employment.

And also, Mr. Deputy Speaker, in that context too, we have heard horror stories that when workers land in foreign countries, and so on—

Mr. Deputy Speaker: Member, you have two more minutes.

Mr. R. Indarsingh:—their identity documents are destroyed. Their passports are destroyed, and so on. They are held hostage. They are held in bondage. They become part of what we call slave labour, and so on. And I am sure that the Minister of Labour and this Government will play a responsible role in listening to what the Opposition has had to say here this afternoon. Because it is the responsibility of the Government. It is the responsibility of the Government, while you repeal and you say that that is the only discussion we should be focusing on here today, I want to tell you, at the end of the day, your approach, Minister, in moving this piece of legislation tells me that it is piecemeal. It is a lazy approach. It is an approach that the Government really does not care about the well-being of the citizens of Trinidad and Tobago.

Mrs. Robinson-Regis: Standing Order 48(6). Standing Order, 48(6), Mr. Deputy Speaker. “I ain care if he finish.”

Mr. Deputy Speaker: Again, Member, you are winding up? But again, be conscious of your comments please.

Mr. R. Indarsingh: I am also conscious of my comments, Mr. Deputy Speaker.

Mr. Deputy Speaker: Just be conscious of your comments.

Mr. R. Indarsingh: This is a Government that boasts about being patriotic and fulfilling their responsibilities to the people of Trinidad and Tobago. The Opposition is just reinforcing and giving them a gentle reminder of what patriotism really means and serving the nationals of Trinidad and Tobago.

Mr. Deputy Speaker: Thank you for your time, Sir.

Mr. R. Indarsingh: Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker: I recognize the Member for Arima. Member, you have 20 minutes.

The Minister of Housing and Urban Development (Hon. Penelope Beckles): Thank you very much, Mr. Deputy Speaker. You know, my colleague, the hon. Member for Couva South, started very nicely and quietly and he said he was not going to be adversarial and controversial. And he gave us the impression that he is supporting the legislation, which I still think he is supporting, and as he went along and he came to the end, he accused the hon. Minister of taking a lazy approach and a piecemeal approach. And I think we also understand that this is a specific piece of legislation. In a sense, it is dealing with a specific issue and my colleague, the hon. Member for Couva South, used the opportunity, without giving any evidence, to try and convince the population that the Government has not been doing its work in terms of the seasonal workers. He used the opportunity to talk about policies that we should have relating to workers who are held hostage, to talk about workers who may be held against their rights and we should have policies to deal with employment, voluntary employment, international rights. What is very clear, Mr. Deputy Speaker, is the hon. Member provided absolutely no evidence, not a shred of evidence at all, to indicate that the Government is in contravention of any of the things that he mentioned.

Hon. Members: [*Desk thumping*]

Hon. P. Beckles: I want to go back to, and congratulate the hon. Minister of Labour for the fact that he had a consultative process. Normally, when you sit in this House and legislation is brought before this honourable House, the first thing that you hear is the Government did not consult with the Law Association, the Government did not consult with the trade union movement, they did not consult

with the Chamber of Commerce. Now, we have a situation where the hon. Minister was able to clearly indicate, and we had confirmation from the hon. Member opposite, that here it is 119 persons participated. The hon. Member opposite indicated that you had responses from 56 stakeholders. So this is one of the pieces of legislation where the hon. Minister of Labour must be congratulated for ensuring that there was a consultative process.

Hon. Members: [*Desk thumping*]

Hon. P. Beckles: He ensured—I mean, this is one of the situations where the hon. Member opposite could not mention the absence of any trade union. He could not indicate that the hon. Minister of Labour did not go through the proper process to ensure that when this legislation comes before this Parliament, we have the support of the trade union movement. And that is the case today and I want to place on record my absolute congratulations to the hon. Minister of Labour for ensuring that he had the widest possible consultative process in bringing this legislation here before the Parliament of Trinidad and Tobago.

So, Mr. Deputy Speaker, now let me say now what a pleasure it is to participate in this debate on this Foreign Labour Contracts (Repeal) Bill, 2021. And it is clear to say that I think the main issue, as we debate this Foreign Labour Contracts (Repeal) Bill is that the archaic, this Foreign Labour Contracts Act is archaic, that is Chap. 88:11, and it was enacted approximately 121 years ago, to prevent the loss of the much needed labourers who were leaving the British colony of Trinidad and Tobago to build railways and the Panama Canal, and that is between the period 1884 and 1994.

I do not think that there is any dispute that this Act is no longer relevant and the position adopted by the hon. Minister of Labour and by extension the Government of Trinidad and Tobago is not unreasonable. And, therefore, there

should be no difficulty in agreeing on the repeal of this Act.

Mr. Deputy Speaker, it is true to say that Trinidadians and Tobagonian nationals seek to work outside of the jurisdiction and indeed outside of the Commonwealth. And in truth and in fact, the hon. Member for Couva South, I think, I do not want to misquote him, but he basically was saying wherever you have certain types of employment you will see a Trinidadian somewhere. And I do not think that is in dispute. But what we are clear about is that, based on what has been transpiring in terms of the activities of Trinidadians and Tobagonians going abroad to work, in truth and in fact they have actually, I think we could comfortably say, been ignoring this Act and no doubt have concluded that it is irrelevant.

My colleague opposite in his contribution, for example, spoke about nurses. And I think we all know that that is a typical example where you have private arrangements and private contracts in cases for registered nurses, and normally they would go through the nurses association. And I think for all of us who have had the benefit of travelling, it is not uncommon to see nurses from Trinidad and Tobago working, whether it is the United States, Europe. As a matter of fact, Mr. Deputy Speaker, I recall some time ago, going to Dubai and the Philippines and you have Trinidadian and Tobagonian nurses working even there. One of the things we do not recognize is that—the quality of nurses that Trinidad and Tobago has produced over the years. And, therefore, they are normally sought after by many countries all over the world.

And another such industry is that of the energy sector, as has been the case for decades. Professionals from the energy sector lend their expertise and experience acquired right here in Trinidad and Tobago, and they go to many countries across the globe, earning handsomely and repatriating money to their

families. And these moneys are often referred to as remittances and they contribute considerably to the economic development of Trinidad and Tobago.

Now, I have noted the concern raised by my colleague for Couva South as it relates to the issue of dealing with recruitment of workers, their terms and conditions, issue of trafficking in persons. And I think it is fair to say, because the hon. Minister of Labour indicated that there would be pieces of legislation coming before this Parliament, which is the Recruiting of Workers Act, the Trafficking in Persons Act, the workers and employment standards Act and the issue relating to the workmen compensation, which is the Workmen's Compensation Act.

So I am very comfortable and satisfied that not only has the hon. Minister addressed the issue specifically of the repeal of this Act, but he has also indicated in his contribution and recognized that there is need for other pieces of legislation. But we are specifically today dealing with this piece of legislation, which is, the Foreign Labour Contracts (Repeal) Act.

So my colleague opposite raised the issue relating to forced labour amid human trafficking. And as I indicated, that would be comprehensively dealt and addressed with the upcoming Trafficking in Persons Act, and I look forward to the support of the Opposition when the hon. Minister brings that piece of legislation before this Parliament.

At the end of the day, Mr. Deputy Speaker, I think it is clear that the concerns raised by the hon. Member opposite will be addressed by the pieces of legislation referred to during the presentation of the hon. Member of Parliament for La Brea and the hon. Minister of Labour.

Mr. Deputy Speaker, in my humble view, this is a very simple task. As the hon. Minister of Labour said, the intention is to repeal this archaic law and I think we all agree, having regard to the contribution of the Minister of Labour, as well as

my colleague for Couva South, that this piece of legislation is archaic, it is irrelevant and what it is seeking to do is to pave the way for new legislation to address some of the issues raised by my colleague from Couva South. But more importantly, it is the removal of a piece of legislation that is no longer relevant. I think what is important for us, and I must repeat, is that based on the report from the Minister of Labour, that there is the full support of the trade union movement for the repeal and the replacing of this piece of legislation.

So I would like to, therefore, ask my colleagues and look forward to their support in the repeal of this piece of legislation. So with these few words, once again, Mr. Deputy Speaker, I thank you very much for the opportunity to contribute to this debate. Thank you.

Hon. Members: [*Desk thumping*]

Mr. Deputy Speaker: I recognize the hon. Member for Naparima, and you have 20 minutes.

Mr. Rodney Charles (*Naparima*): Thank you very much, Mr. Deputy Speaker. I listened intently to my colleagues opposite, in particular the Minister of Labour, and I think that the Minister of Labour misadvised himself when he said that the impetus for this legislation, the Foreign Labour Contracts Act of 10 February, 1900, was to prevent citizens of Trinidad and Tobago from going abroad. So it was to keep them here in order to protect our labour shortages, which existed at the time.

Mr. Deputy Speaker, as far as I understand from history, I questioned whether that was part of the reason because in 1900, we did not have a significant labour shortage in Trinidad. You see, slavery was abolished between 1834 to 1838 and the freed Africans decided that they would withhold their labour and there was a shortage of labour in Trinidad immediately after 1838.

If you read Selwyn Cudjoe's *William Hardin Burnley: The Slave Master of*

Trinidad, and Burnley was a legislator in the Legislative Council, they moved to bring in labour from India. So that indentureship started between 1848 to 1917, in which 140,000 East Indian emigrants came to enrich our culture and to add and contribute to our economic development. So at 1900, the Government had already taken steps to deal with the labour shortages in Trinidad and that is history. That is history. So to say that there was a shortage and it was to hold people here, I think, is not doing justice to the historical facts.

And because the Minister did that, he fell into the trap of saying that it is an archaic legislation to stop citizens from migrating abroad. But when you read the Act that we are repealing today, it deals primarily with protecting citizens of Trinidad who were being recruited to work outside the Commonwealth, particularly in the Panama Canal. And so, the legislation that we are repealing deals primarily, almost exclusively, with protecting citizens from being abused by persons who came to Trinidad to recruit our citizens and not give them the necessary protections. So when you read the Act, you see “foreign country” means non-Commonwealth countries, and there is a reason for that, because in Commonwealth Trinidad at the time was in the British empire and so the British empire could have taken steps to protect Trinidad citizens in other Commonwealth countries, and that is why the Act that we are repealing speaks specifically to non-Commonwealth countries. It speaks almost exclusively to recruiters.

Section 3 says:

“Any employer, or any person acting as an agent or attorney for or on behalf of any employer, shall not without the leave in writing of the President first obtained, hire, engage, or induce any person to leave Trinidad and Tobago, or send or take away any person...”

—from Trinidad and Tobago to be employed elsewhere.

You read subsection (2).

“Every employer contravening...”

So if a citizen wanted to leave, he was not constrained by this legislation, to the extent that the recruiters were constrained.

Section 5:

“The President may grant leave...”

Now, one of the good things of this legislation— So when you repeal a bit of legislation, you are repealing some protections in this law which protected our citizens who were recruited and ended up in Panama, ended up in Cuba, ended up in Costa Rica and in the United States in the period 1900—1930s. There was a migration of Trinidadians, the first wave of Trinidadians migrating abroad. So there are protections granted to citizens.

If you read section 6.

“Any such labourer, whether the employer with whom he has contracted or agreed is represented or not in Trinidad...may proceed against either or both of the sureties in the first instance for any damages he may have sustained through breach of any agreement for hire and service which he may have entered into with the employer, or through their or his fraud or falsehood about the same.”

So it meant if an employer came to Trinidad, promised certain things to a labourer, and when they reach in Costa Rica, he did not fulfil that, there was a bond put in place so that the labourer could get a remedy for the problem with the contract.

The contracts specified. You see, the colonial person had a concern for our citizens being migrated and being utilized and being abused abroad, so they stated in this and we are getting rid of this. It says:

“Every contract which under the authority of this Act is entered into between

any employer and any other person for the performance of any work as a labourer in a foreign country...”

That is a non-Commonwealth country.

“shall be in writing...”

And that was to protect citizens of Trinidad who went abroad. So you could not come to Trinidad and pick up some people and carry them abroad. You had to give them a contract according to this legislation. You understand why we have some concerns when you repeal and you do not replace? When you repeal and you do not amend.

Hear what some of the protections they had, a labourer, and this is the colonial government dealing with our citizens. They said:

“(a) a statement of the description and the nature of the work or service to be performed...”

So the labourer had full sight of what he was going to be asked to do in the foreign country and there was a legal framework to ensure that contracts were protected.

“(b) the name of the country, and the place or locality within such country, where such work or service is to be performed...”

My colleague from Couva South spoke about the need for a database. In 1900 it did not have a database, but they had the idea. They had the idea. You had to specify.

Mrs. Robinson-Regis: Mr. Deputy Speaker, Standing Order 55(1)(b). Couva South said exactly all these things that are being said by the Member for Naparima, every single thing, word for word. He did not say database, but he said database before.

6.30 p.m.

Mr. Deputy Speaker: Again, Member, all right. The Leader of the House has

raised a Standing Order and again, repetition of the same thing that would have been said by your colleagues. So again, move on to another point please.

Mr. R. Charles: No, Sir. My colleague—sorry—okay.

Mr. Deputy Speaker: Member—[*Crosstalk*]

Mr. Hinds: What! [*Crosstalk*]

Mr. R. Charles: I am saying something specifically to the clause—

Mr. Hinds: Is he arguing with the Speaker?

Mr. Deputy Speaker: Member, proceed.

Mr. R. Charles: I move on. So, the Government is replacing a legislation and we are saying that what is in place to deal with the vacuum that has been created? The colonial masters gave protection to our citizens. We are saying we do not want those protections instead of saying let us upgrade it. Let us see how we can add some specificity to the thing. Let us see how we could protect our citizens more. And you know—you know why I am concerned, Mr. Deputy Speaker, because it means if we are sending our citizens abroad and we are not—and we have repealed certain—

Mrs. Robinson-Regis: Standing Order 55(1)(b).

Hon. Members: [*Desk thumping*]

Mrs. Robinson-Regis: That is exactly what Couva South—

Mr. R. Charles: No.

Mrs. Robinson-Regis:—told us.

Mr. R. Charles: I am talking about the UN Convention—[*Inaudible*]

Mr. Deputy Speaker: Member, hold on one second, okay? We can play with words all afternoon, right. So again, move on to another point.

Mr. R. Charles: The point I am making is if our citizens are going abroad, we should have signed the UN Convention on migrants so that they would have the

protection necessary outside.

Hon. Members: [*Desk thumping*]

Mr. R. Charles: So if we do not want to give it to them, Mr. Deputy Speaker, and my colleague never spoke about that. If we do not want to give them the protection outside, we sign the necessary Conventions that would give them—that would give them—[*Interruption*]

Mr. Hinds: [*Inaudible*]

Mr. Ratiram: Mr. Deputy Speaker, 53(1) please. The Member from Laventille West is seriously disturbing the debate.

Mr. Hinds: You are out of order.

Mr. Deputy Speaker: Please, Members. Laventille West, again. Proceed, Member for Naparima.

Mr. R. Charles: Thank you. Thank you, Mr. Deputy Speaker. So why it is I ask if we are concerned—if we are removing the safeguards that the colonial masters felt the citizens of Trinidad and Tobago were entitled to if they went abroad, why are we not signing at the same time and ratifying the Convention on the protection of migrants and their families, which would give them the necessary protections abroad?

Mrs. Robinson-Regis: Mr. Deputy Speaker, Standing Order 48(1). This does not relate to migrants.

Hon. Members: [*Desk thumping*]

Mr. R. Charles: Mr. Deputy—[*Crosstalk*]

Mr. Deputy Speaker: Again, hon. Member, let us stick to the particular Bill that is before us, and the information that you are sharing with us, all right. Again, this is the third time, right. So again, proceed, and please.

Mr. R. Charles: Mr. Deputy Speaker, the definition of a migrant is someone who

goes to look for a job outside of a territory. So if this foreign Bill is about recruiting us to go abroad to look for work, they are migrants. If the Member does not understand English and what “migrant” means, then do not demonstrate it in a public forum.

Mr. Deputy Speaker, I go on. I go on. The Minister of Labour in the other place, said that based on the concerns expressed, that there will be a vacuum in terms of protections offered, indicated that he would bring to the table amendments or legislation to the Recruiting of Workers Act, the Trafficking in Persons Act, the workers employment and standards Bill, and the Workmen’s Compensation Act. Three months have passed since those promises were made. Where are these pieces of legislation, Mr. Minister?

The Government has stated that this Act is in effect dormant and not needed. If this is the case, why the rush to repeal the legislation without bringing the replacement laws? We have to ask, we have to think in terms of comprehensiveness. We have to think in terms of—and they force us into a little box. We are dealing with a Bill to repeal so “doh” talk anything else. How could we not talk anything else when it repeals legislation that was providing a purpose for our citizens? And when we talk about a purpose, they say “tedious repetition” My lord! My lord. Where are these pieces of legislation?

Three months ago the Minister announced that the was bringing it to the table, and I am saying that you are bringing—you have time to bring dormant legislation to repeal it, but you do not have time to bring legislation to protect the citizens of Trinidad and Tobago.

Hon. Members: [*Desk thumping*]

Mr. R. Charles: Section 6 of the repealed legislation specified the ability of a labourer to sue on breach of contract. Again, we ask, will our citizens be protected

by law when this Act is repealed? My colleague raised the point about—I would have hoped that we would have seen a comprehensive involving what is the role of our High Commission and our Embassies, et cetera.

Let me give them examples. Irish Missions, that is from Ireland, the Republic of Ireland, a broad provider range of help and support to citizens in distress abroad including help with travel documents, providing travel or language service, and money. Money! Do we have in our Missions abroad—what this is telling me is that the colonial masters had legislation in place to help to protect our labourers who went abroad, and this Government is repealing that without any alternative mechanism in place to protect our citizens. So it is every man jack Trinidadian abroad “yuh on yuh own”. “Yuh on yuh own.” Meanwhile all other Missions see about their citizens. All of them. I have been as an Ambassador and there was no vote in the Mission.

Ms. Robinson-Regis: Standing Order 48(6), please. [*Crosstalk*]

Mr. Deputy Speaker: I have to rule accordingly. Again, Member the statement of imputing improper motives again, you need to be conscious of your statement, all right? So again, move on to your other point.

Mr. R. Charles: I want to move on to the point of section 3(2) of the repealed legislation, removes criminal liability from those who are recruiting citizens in Trinidad. It also, section 6 removes civil liability. So it is now free range for anybody in the world to come to Trinidad and recruit our citizens. And we are told that the legislation is coming, we have to await the legislation. So in between the time when that legislation comes and the repeal of this legislation, our citizens abroad are on their own. They have no recourse to nobody, nowhere, to get any problem if they are given a contract and there is a breach of contract when they reach abroad. I think the time has come for us to be humane, for us to be bright, for

us to be comprehensive, to understand that citizens abroad could be in crisis.

Hon. Members: [*Desk thumping*]

Mr. R. Charles: But you see, I want to make a point. I have friends in Canada and they wrote me and tell “meh”, look when it came to the farm workers the Canadian Government passed a law to protect the Trinidad citizens in Canada in Ontario.

Hon. Members: [*Desk thumping*]

Mr. R. Charles: And our Government lock “dem” out.

Hon. Member: Lock “dem” out.

Mr. R. Charles: Locked them out and then they “doh wah me talk ’bout dat.” They “doh wah” me talk.

So you know what, Parliament is not the place—this is what a lot of citizens are saying—for free ventilation of ideas, even though you may not like to hear it, the Canadian Government passed a law.

Ms. Robinson-Regis: 48(6) please, Mr. Deputy Speaker. 48(6) please, please.

Mr. Deputy Speaker: Now, again, Member, you need to be careful how you coin your words, because not only for the Parliament but for also the Speaker’s Chair, all right. In terms of the remark, right, remember the Speaker’s Chair is not to be brought into the debate. So be conscious of it and move on please.

Mr. R. Charles: Mr. Deputy Speaker, I end my contribution.

Hon. Members: [*Desk thumping*]

Mr. Deputy Speaker: I call on the Minister of Labour.

Hon. Members: [*Desk thumping*]

The Minister of Labour (Hon. Stephen Mc Clashie): Mr. Deputy Speaker—

Mr. Deputy Speaker: Member, you have 20 minutes in winding up.

Hon. S. Mc Clashie: I have to say that I am quite intrigued that a simple repeal of an Act got so much, gusto and so much attention to the end there. Let me put on

record having heard the contributions of those opposite, that in principle I do not disagree with what the Member for Couva South was saying, or had to say with regard to a number of things, including looking at alternative views as put forward by the trade union, and the like.

What I would caution however, is that we have sometimes the propensity for taking headlines, running with them, and turning those headlines into facts. That does not happen. And I make direct correlation with what was said about the Canadians and the farm workers, and the press, and the articles that were written in that regard.

So I am concerned just as the speaker—just as the Member for Couva South, about migrant workers, trafficking in persons, employment standards, and the whole 10 yards with regard to protecting our workers in foreign countries and ensuring that they are not exploited, ensuring that we have legislation that guides this whole process.

The challenge now is that many workers who migrate do so very rarely from the standpoint of recruiters. They generally now engage in private treaty with those that they wish to work with. There are many other issues with regard to the role of Government Missions, and Embassies, and so on, that have arisen that though it might have some legitimacy, is not part of the debate. So what I will say is that I have taken on board the comments made by those opposite, and I can assure you that the Government, this Government, has a number of legislation that is being currently reviewed by subcommittees and so on, and we hope to roll them out soon.

[MADAM SPEAKER *in the Chair*]

So what we are here today for, Madam Speaker, is the repeal of a piece of legislation that as I have outlined, really does not serve any purpose at this time.

We can have a number of debates of what is necessary and what is needed with regard to new legislation, and at that point when we bring that legislation I will be more than happy to engage in that debate. But I have heard nothing, Madam Speaker, that would suggest that we should not repeal this Act. I have heard a number of ideas that I have taken note of, and as a responsible member of Government, I will have to deal with my technocrats with regard to how we could incorporate those things. And I am not taking the position because it was said by someone who I am opposed to in a particular space and time, that I will not shoot the messenger, but I will take the message.

So at this point, Madam Speaker, I will not prolong the—this particular debate and therefore at this point I really would like to move this and to close this debate. I would like to move.

Hon. Members: [*Laughter*]

Hon. Members: I beg to move.

Hon. S. Mc Clashie: Oh, I beg to move, Madam Speaker.

Hon. Members: [*Desk thumping*]

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Clauses 1 and 2 ordered to stand part of the Bill.

Question put and agreed to: That the Bill be reported to the House.

House resumed.

Bill reported, without amendment, read the third time and passed.

ADJOURNMENT

Madam Speaker: Leader of the House.

UNREVISED

The Minister of Planning and Development (Hon. Camille Robinson-Regis):

Thank you very kindly, Madam Speaker. Madam Speaker, I beg to move that this House do adjourn to a date to be fixed.

Madam Speaker: Hon. Members, there was one matter that qualified to be raised on the Motion for the adjournment. I have been advised that there is agreement that this matter will be deferred.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 6.50 p.m.