

SENATE*Tuesday, November 16, 2021*

The Senate met at 1.30 p.m.

PRAYERS[MR. VICE-PRESIDENT *in the Chair*]**LEAVE OF ABSENCE**

Mr. Vice-President: Hon. Senators, I wish to inform you that the President of the Senate, Sen. The Hon. Christine Kangaloo, is currently out of the country. Hon. Senators, I have granted leave of absence to Sen. Anil Roberts, Sen. Evans Welch who are ill.

SENATORS' APPOINTMENT

Mr. Vice-President: Hon. Senators, I have received the following correspondence from Her Excellency the President, Paula-Mae Weekes, ORTT.

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND
TOBAGO

By Her Excellency PAULA-MAE
WEEKES, O.R.T.T., President of the
Republic of Trinidad and Tobago and
Commander-in-Chief of the Armed Forces.

/s/ Paula-Mae Weekes

President.

TO: MR. HARVEY BORRIS

WHEREAS Senator the Honourable Christine Kangaloo is incapable of performing her duties as the President of the Senate by reason of her absence from Trinidad and Tobago and the Vice President of the Senate is

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required to perform the duties of the President of the Senate, and as a result, a vacancy has arisen in the Senate:-

NOW THEREFORE, I, PAULA-MAE WEEKES, President as aforesaid, acting in accordance with the advice of the Prime Minister, in exercise of the power vested in me by section 44 of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, HARVEY BORRIS, to be a member of the Senate temporarily, with effect from 16th November, 2021 and continuing during the absence from Trinidad and Tobago of Senator the Honourable Christine Kangaloo.

Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 15th day of November, 2021.

THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By Her Excellency PAULA-MAE WEEKES, O.R.T.T., President of the Republic of Trinidad and Tobago and Commander-in-Chief of the Armed Forces.

/s/ Paula-Mae Weekes

President.

TO: DR. TIM GOPEESINGH

WHEREAS Senator Anil Roberts is incapable of performing His duties as a Senator by reason of illness:-

NOW THEREFORE, I, PAULA-MAE WEEKES, President as aforesaid, in exercise of the power vested in me by section 44(1)(b) and section 44(4)(b) of the Constitution of the Republic of Trinidad and

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Tobago, acting in accordance with the advice of the Leader of the Opposition, do hereby appoint you, TIM GOPEESINGH to be a member of the Senate temporarily, with effect from 16th November, 2021 and continuing during the absence of Senator Anil Roberts by reason of illness.

Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 16th day of November, 2021.

THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND
TOBAGO

By Her Excellency PAULA-MAE WEEKES, O.R.T.T., President of the Republic of Trinidad and Tobago and Commander-in-Chief of the Armed Forces.

/s/ Paula-Mae Weekes
President.

TO: MR. JOHN HEATH

WHEREAS Senator Evans Welch is incapable of performing his duties as a Senator by reason of illness:-

NOW THEREFORE, I, PAULA-MAE WEEKES, President as aforesaid, in exercise of the power vested in me by section 44(1)(b) and section 44(4)(c) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, JOHN HEATH, to be a member of the Senate temporarily, with effect from 16th November, 2021 and continuing during the absence of Senator Evans Welch by reason of illness.

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Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 16th day of November, 2021."

OATH OF ALLEGIANCE

The following Senators took and subscribed the Oath of Allegiance as required by law:

Harvey Borris, Dr. Tim Gopeesingh and John Heath.

CONDOLENCES

(AMB. CHRISTOPHER ROY THOMAS)

Mr. Vice-President: Hon. Senators, I now invite tributes on the passing of former Senator, Amb. Christopher Thomas. Minister of Trade and Industry.

The Minister of Trade and Industry (Sen. The Hon. Paula Gopee-Scoon): Mr. Vice-President, it is with a very heavy heart that I rise this afternoon to offer condolences on behalf of the Government Bench in this honourable Senate for one of our very own distinguished sons of the soil, Mr. Christopher Roy Thomas, known more commonly as Amb. Thomas. Amb. Thomas was a remarkable man who dedicated his life to the service of others, to the service of country, and to the service of the regional and international community.

As a lover of languages, he began his career as a teacher and professor of language at the secondary and tertiary levels. His teaching style focused on inspiring his students and finding ways to translate his passion to them. He was fluent in English, Spanish, French and Portuguese. His service to country began when he entered the foreign service in 1967. Within a year, he was assigned to the Embassy in Caracas, Venezuela as a Second Secretary and was quickly promoted to First Secretary by 1969.

In 1973, Amb. Thomas was appointed consul of the permanent mission to the United Nations in New York. The early success in his career is a testament of his innate drive, determination, diligence and excellence. Years later, in 1990, Amb. Thomas was appointed as the Assistant Secretary General of the Organization of American States and there he began his service to the international community. Amb. Thomas was critical to the working of the OAS and played a significant role in ensuring cooperation between countries.

Upon demitting office 10 years later, his colleagues revered him as an adamant defender of human rights, multilateralism and representative democracy. After his stint at the OAS, Amb. Thomas transitioned to Sen. The Hon. Christopher Thomas as an appointed Member of the Independent Bench. His service spanned varying periods in the Sixth, Seventh and Eighth Republican Parliaments from 2001 to 2003. His contribution to the Legislature and people of Trinidad and Tobago cannot be understated.

His return home was symbolic of his commitment to service and ensuring the betterment of his beloved country. He served for many years as chairman of the Public Service Commission, Police Service Commission and Statutory Authorities Service Commission. Mr. Vice-President, in addition to being a man of service, Amb. Thomas was a fair and honest man, so much so that he was called upon to lead members of the OAS' mission to observe and monitor parliamentary elections, such as the Saint Lucia general election in 2006.

This honour is bestowed upon a select few and is testament to the character of Amb. Thomas. An example of this time, the majority of Amb. Thomas' life was deeply rooted in service and love for the well-being of others. He served with distinction, honour and integrity. His sound diplomacy and astute ability to foster cooperation among others was greatly admired and would surely be missed. Those

who had the pleasure of working alongside him could attest to these very admirable qualities.

Mr. Vice-President, there is a famous quote from Albert Einstein which says that:

“Only a life lived in the service to others is worth living.”

I can say with confidence that Amb. Thomas lived a wholesome 84 years of life. Mr. Vice-President, on behalf of the Government, I extend heartfelt condolences to Amb. Thomas’ family, friends, colleagues and acquaintances. May God cover them with his comforting love and see them through these difficult times. As a nation, we thank his family for his service and the sacrifices that have been made, appreciating the demands of what is required when serving in various platforms. May his soul rest in eternal peace. I thank you.

Hon. Senators: [*Desk thumping*]

Mr. Vice-President: Sen. Mark.

Hon. Senators: [*Desk thumping*]

Sen. Wade Mark: Thank you, Mr. Vice-President. Amb. Christopher Roy Thomas was an outstanding public servant. Most people may not have known him because he was a very low-key individual. In fact, most people may have probably never even heard his name. Mr. Vice-President, at the national level, he became Permanent Secretary in the then Ministry of External Affairs. He also served as our ambassador to Venezuela. In addition to English, Amb. Christopher Thomas spoke Spanish, French and Portuguese, and before joining this country’s foreign service, taught languages in Jamaica and at St. Mary’s College in Port of Spain. After retirement from the public service, Amb. Christopher Roy Thomas served as an Independent Senator and chairman of the Public and Police Service Commissions. Later, he became chairman of the Statutory Authorities Service Commission.

At the hemispheric level, Amb. Christopher Thomas became Assistant Secretary General of the Organization of American States, the first and still the only Trinidad and Tobago national to serve in that capacity. At the international level, Amb. Christopher Thomas, not yet an ambassador, was elected chairman of the powerful Fifth Committee of the United Nations in New York. That committee, Mr. Vice-President, dealt with administrative and budgetary matters. He was also deeply involved in the Law of the Sea matters or in Law of the Sea matters.

Amb. Christopher Roy Thomas was a quiet man with no bombast about him. He did his work efficiently and he did it well and was one of the best public officers that Trinidad and Tobago has produced since our political independence in 1962. Christopher Roy Thomas was a very humble, unique, decent, dignified and a man of integrity; a staunch defender, as my colleague said, of human rights and representative democracy. On behalf of the United National Congress, on behalf of my colleagues on the Opposition Bench, we would like to record and register and to deeply express our collective condolences to his family and friends.

Mr. Vice-President, just a month ago when I learnt of his health challenges, I had the opportunity of communicating with him directly and to enquire of him of his state of health, and of course, in his humble way, he indicated that everything was okay and he was doing fine and I wished him, you know, the best of health and speedy recovery. Today he is no more with us. We celebrate the life today of an extraordinary citizen of our republic. May his great soul rest in perpetual peace and may he rise in glory.

Hon. Senators: [*Desk thumping*]

Mr. Vice-President: Sen. Richards.

Hon. Senators: [*Desk thumping*]

Sen. Paul Richards: Thank you, Mr. Vice-President, for the opportunity to pay

tribute to Amb. Christopher Roy Thomas on behalf of my colleagues on the Independent Bench. He has been described as a patriot, a statesman, a diplomat par excellence, an educator, a gentleman, a friend, a father to many. He was born on May 10, 1937, and left this realm on November 11, 2021. His education is vast and wide. He was educated at the University of London. He held a Bachelor of Arts in Modern Languages. He also attended the University of the West Indies where he got a Diploma in Education, at the University of Bristol in the United Kingdom where he received a Master of Arts in Political Science and also, New York University where he was awarded a Master of Arts in International Politics.

As my colleagues have indicated, his professional career was vast and wide. He was a lecturer in international relations at UWI, St. Augustine campus, from 1966 to 1967. He was the head of the language department, Champion College in Jamaica from 1964 to 1965 and the language professor at St. Mary's College in Trinidad from 1956 through 1961. Among the many positions he held in public service included Permanent Secretary at the Ministry of Foreign Affairs; ambassador to Venezuela, Colombia, Ecuador and Peru; Assistant Secretary General of the OAS, the Organization of American States; United Nations Inspector, Geneva, Switzerland; in terms of commissions, he was the chairman of the Public Service Commission and also, the Police Service Commission.

Amb. Roy Thomas was awarded this country's Chaconia Gold Medal for public service in 1997. He served in this Independent Bench from the 9th of October, 2001—sorry, the 12th January, 2001 to the 9th of October, 2001; also the 5th of April, 2002 to the 28th of August, 2002; and also on the 17th of October, 2002 to the 31st of December, 2003. He debated admirably and contributed to several Bills, including, but not limited to, the Planning and Development Bill, 2001; the Telecommunications Bill, 2001; the Mutual Assistance in Criminal Matters

(Amdt.) Bill, 2001; the Finance (Variation of Appropriation) (1999/2000) Bill, 2001; the Air Navigation Bill, 2001; and the Appropriation Bill, 2002.

He served on committees, including the House committee of the Senate and the Public Accounts Committee, and represented Trinidad and Tobago at many international conferences, including the InterAmerican Economic Council in Santiago, Chile on June 04, 2003. Upon his passing, there were several tributes paid to him, including Basil Ince in 2018—or before his passing, I should say, who described him as an eminent diplomat and international relations expert. He has been paid tribute by many far and wide since his passing and this country owes a great debt of gratitude for his service—unwavering service to Trinidad and Tobago.

To his family, his three children, his colleagues and friends and associates, we send our deepest condolences and thank them for sharing him with us and his sacrifice for Trinidad and Tobago. On behalf of the Members of the Independent Bench, we also send our condolences and may he rest in peace. Thank you, Mr. Vice-President.

Hon. Senators: [*Desk thumping*]

Mr. Vice-President: Hon. Members, I too wish to join with you and the national community in expressing condolences on the passing of former Independent Senator and ambassador, Christopher Thomas. From your contributions, it is evident that Amb. Christopher Thomas had an illustrious career of public service and was admired and respected locally, regionally and internationally. Amb. Thomas served as an educator, a diplomat, a former Permanent Secretary with the Ministry of Foreign Affairs, an Independent Senator and as a chairman of two service commissions. Ascending to these positions speaks volumes about his leadership, his acumen and the caliber of the man. There is no doubt that his

commitment to the development of the public service of Trinidad and Tobago would have contributed to him being bestowed with a national award, the Chaconia Medal of Gold in 1997. At the end of his stint at the Organization of American States, in June 2000, it was noted, and I quote:

“...Ambassador Thomas fulfilled the functions of his office with great dedication and efficiency, and always executed his responsibilities in an exemplary manner;”

We have indeed lost a national son of the soil and while it is not our will to say when death shall come and how it takes not just a soul, not just a person, not just a father and a husband but a formidable statesman, it is significant amidst our loss that we celebrate Amb. Thomas' life. May his soul rest in peace.

Hon. Members, I ask that we stand in observance of a minute of silence on the passing of former Independent Senator and ambassador, Christopher Thomas.

The Senate stood.

Mr. Vice-President: Hon. Senators, the Clerk will convey to the family of Amb. Christopher Thomas the sentiments that have been expressed here today.

**JOINT SELECT COMMITTEE
(CHANGE OF MEMBERSHIP)**

Mr. Vice-President: Hon. Senators, I have received the following correspondence from the Speaker of the House of Representatives, the hon. Bridgid Mary Annisette-George, MP, Speaker of the House:

“Change in Membership of Joint Select Committee

I wish to advise that at a sitting held on Friday November 12, 2021, the House of Representatives agreed to the following resolution:

Be it Resolved that the House of Representatives agreed to the following appointments:

- Mr. Saddam Hosein in lieu of Mr. Dinesh Rambally on the Joint Select Committee on Finance and Legal Affairs;
- Mr. Barry Padarath in lieu of Mr. Saddam Hosein on the Joint Select Committee on Land and Physical Infrastructure;
- Ms. Vandana Mohit in lieu of Mr. Rudranath Indarsingh on the Joint Select Committee on Social Services and Public Administration;
- Mr. Rudranath Indarsingh in lieu of Mr. David Lee on the Joint Select Committee on State Enterprises;
- Ms. Anita Haynes in lieu of Mr. Barry Padarath on the Joint Select Committee on Human Rights, Equality and Diversity; and
- Mr. Ravi Ratiram in lieu of Ms. Vandana Mohit on the Parliamentary Broadcasting Committee.

Accordingly, I respectfully request that the Senate be informed of this decision at the earliest convenience please.

Thank you.

Respectfully,

Hon. Bridgid Mary Annisette-George, MP

Speaker of the House”

2.00 p.m.

**MISCELLANEOUS PROVISIONS [2019 NOVEL CORONAVIRUS
(2019-NCOV)] VACCINATION PERSONNEL) BILL, 2021**

Bill to amend the Cinematograph Act, Chap. 20:10, the Registration of Clubs Act, Chap. 21:01, the Theatres and Dance Halls Act, Chap. 21:03, the Family Law (Guardianship of Minors, Domicile and Maintenance) Act, Chap. 46:08, the Motor

Misc. Provisions (2019-NCOV) Vaccination Personnel) Bill (cont'd) 2021.11.16

Vehicles and Road Traffic Act, Chap. 48:50, the Moneylenders Act, Chap. 84:04, the Pawnbrokers Act, Chap. 84:05 the Licensing of Dealers (Precious Metals and Stones) Act, Chap. 84:06 and the Old Metal and Marine Stores Act, Chap. 84:07 in response to the 2019 Novel Coronavirus (2019-nCoV) and for related matters, brought from the House of Representatives [*The Acting Attorney General and Minister of Legal Affairs, Minister of Energy and Energy Industries and Minister in the Office of the Prime Minister*]; read the first time.

Motion made: That the next stage of the Bill be taken later in the proceedings. [*Hon. S. Young*]

Question put and agreed to.

PAPERS LAID

1. Annual Administrative Report of the Ministry of Social Development and Family Services for the period 2019/2020. (The Minister of Social Development and Family Services (*Sen. The Hon. Donna Cox*))
2. Annual Administrative Report of the Ministry of Tourism for fiscal 2019. [*The Minister of Tourism, Culture and the Arts (Sen. The Hon. Randall Mitchell)*]
3. Annual Administrative Report of the Evolving TecKnologies and Enterprise Development Company Limited for the financial year ended September 30, 2018. [*The Minister of Trade and Industry (Sen. The Hon. Paula Gopee-Scoon)*]
4. Annual Administrative Report of the National Flour Mills Limited for the year ended December 31, 2019. [*Sen. The Hon. P. Gopee-Scoon*]
5. Annual Administrative Report of the Bureau of Standards for the financial year ended September 30, 2018. [*Sen. The Hon. P. Gopee-Scoon*]

6. Value Added Tax (Amendment to Schedule 2) (No. 2) Order, 2021. [*The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat)*]
7. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Accreditation Council of Trinidad and Tobago for the year ended September 30, 2010. [*Sen. The Hon. C. Rambharat*]
8. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Accreditation Council of Trinidad and Tobago for the year ended September 30, 2011. [*Sen. The Hon. C. Rambharat*]
9. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Accreditation Council of Trinidad and Tobago for the year ended September 30, 2012. [*Sen. The Hon. C. Rambharat*]
10. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Police Complaints Authority for the year ended September 30, 2020. [*Sen. The Hon. C. Rambharat*]
11. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Recovery of Expenses of the Ministry of Energy and Energy Affairs for the year ended December 31, 2020. [*Sen. The Hon. C. Rambharat*]
12. Annual Audited Financial Statements of National Enterprises Limited for the financial year ended March 31, 2021. [*Sen. The Hon. C. Rambharat*]
13. Annual Audited Financial Statements of Tourism Trinidad Limited for the financial year ended September 30, 2020. [*Sen. The Hon. C. Rambharat*]

14. Annual Audited Financial Statements of National Flour Mills Limited for the year ended December 31, 2020. [*Sen. The Hon. C. Rambharat*]
15. Annual Audited Financial Statements of Trinidad Nitrogen Company Limited for the year ended December 31, 2020. [*Sen. The Hon. C. Rambharat*]
16. Annual Audited Financial Statements of Point Lisas Industrial Port Development Corporation Limited for the year ended December 31, 2020. [*Sen. The Hon. C. Rambharat*]
17. Annual Audited Financial Statements of National Schools Dietary Services Limited for the financial year ended September 30, 2020. [*Sen. The Hon. C. Rambharat*]
18. Report on the Sixth Withdrawal in the amount of US \$100,000.000.00 from the Trinidad and Tobago Heritage and Stabilisation Fund, in accordance with Section 15A(3) of the Heritage and Stabilisation Fund Act, Chapter 70:09 as amended. [*Sen. The Hon. C. Rambharat*]
19. Annual Report of the Environmental Management Authority for the year 2017. [*Sen. The Hon. C. Rambharat*]

JOINT SELECT COMMITTEE REPORTS

(Presentation)

Public Accounts Committee

Sen. Jearlean John: Thank you, Mr. Vice-President. Mr. Vice-President, I have the honour to present the following reports:

National Lotteries Control Board

(NLCB) for the years 2008 to 2012

First Report of the Public Accounts Committee, First Session (2020/2021), Twelfth Parliament, on an examination of the Follow-up on 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 National Lotteries Control Board (NLCB) for the years 2008 to 2012.

Report of the Auditor General on the

Public Accounts of the Republic of Trinidad and Tobago

Second Report of the Public Accounts Committee, First Session (2020/2021), Twelfth Parliament, 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.

Telecommunications Authority of Trinidad and Tobago

Third Report of the Public Accounts Committee, First Session (2020/2021), Twelfth Parliament, 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.

Public Administration and Appropriations Committee

A summary of inquiries undertaken during the

Eleventh Parliament

Sen. Wade Mark: Thank you, Mr. Vice-President. Mr. Vice-President, I have the honour to present the following reports:

First Report of the Public Administration and Appropriations Committee, First Session (2020/2021), Twelfth Parliament on a summary of inquiries undertaken during the Eleventh Parliament for the period 2015-2020.

Examination of the efficiency of the delivery of services to

the public by the Regional Health Authorities

Second Report of the Public Administration and Appropriations Committee, First Session (2020/2021), Twelfth Parliament, on an examination of the efficiency of the delivery of services to the public by the Regional Health Authorities and a follow-up on the implementation of the recommendations presented in the Welch Report, First Session, Twelfth Parliament.

Examination into the Processing of the payment of Pensions and Gratuities of Retired Public Officers and Contracted Employees

Third Report of the Public Administration and Appropriations Committee, First Session (2020/2021), Twelfth Parliament, on an examination of the Follow-up on the implementation of the recommendations of the Twenty-Fourth Report of the PAAC on the examination into the Processing of the payment of Pensions and Gratuities of Retired Public Officers and Contracted Employees, First Session, Twelfth Parliament.

Examination of the response of Public Authorities to the COVID-19 pandemic

Interim Report of the Public Administration and Appropriations Committee, First Session (2020/2021), Twelfth Parliament, on an examination of the response of Public Authorities to the COVID-19 pandemic in Trinidad and Tobago, First Session, Twelfth Parliament.

The Minister of Social Development and Family Services (Sen. The Hon. Donna Cox): Mr. Vice-President, I beg to present the following report:

**Human Rights, Equality and Diversity
Right to Equal Access to Education**

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 Underperformance of Schools in the Port-of Spain and Environs District with respect to Performance in Terminal Examinations, Second Session (2021/2022), Twelfth Parliament.

URGENT QUESTION

Specialized ICU Nurses

(Measures to Address Shortage)

Sen. Wade Mark: Thank you, Mr. Vice-President. To the Minister of Health: Given the statement by the President of the Trinidad & Tobago Registered Nurses Association that patient care is being compromised owing to a critical shortage of specialized ICU nurses, can the Minister state what is being done to address the issue?

Mr. Vice-President: The Minister of Health.

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very much, Mr. Vice-President. Good afternoon to you and good afternoon to Members of this honourable Chamber.

The Ministry of Health started proactively to recruit ICU nurses in 2020. We recruited seven from Cuba in 2020 and 18 more in 2021. In addition, we started local training of our RNs. In 2020 we trained 196, and a cohort right now is being trained of 100.

The ratios of nurses to patients at Couva in the ICU and HDU are as follows: In our ICU it is one to two or one to three depending on how many patients occupy the 28 ICU beds, and at the HDU where you need a slightly lower level of care, it is one to four.

In addition, in managing a pandemic in scarce resources, when I visited

Couva there was no centralized e-monitoring system. We installed that. We have a centralized e-monitoring system with nurses, consultants and registrars, where the following vitals are monitored electronically to compensate for the human deficiency: arterial blood pressure, SPO tube, pulse rates and cardiac rhythms. When any of these patients decompensate, alarms will ring in this centralized e-monitoring system, which is located in the cold zone, and the appropriate human resources and medical resources are sent to these patients. That way we ensure that the quality of care is optimized and not unduly compromised in this time of scarce resources.

So we acted proactively, Mr. Vice-President, since 2020 in bringing in ICU nurses and training our ICU nurses, and marrying that with technology to optimize care. Thank you very much.

Mr. Vice-President: Sen. Mark.

Sen. Mark: Mr. Vice-President, can the Minister indicate, based on the statement made by the President of the T&T Registered Nurses Association, whether there is any compromising taking place with the quality of health care extended to patients who are presently located at the ICU level at the hospitals in our country?

Mr. Vice-President: Minister of Health.

Hon. T. Deyalsingh: Thank you very much. In speaking to the general managers of nursing and to the nursing manager at Couva, this is not my words, they have assured me that the quality of care is not unduly compromised.

Sen. Mark: Can the Minister, therefore, explain what factors may be responsible for the recent upsurge in the deaths of citizens, particularly those who are in the ICU unit? Can the Minister share with us what could be the factors responsible for this situation, having regard to what he has just explained to us?

Mr. Vice-President: I will not allow that question Sen. Mark.

Hon. T. Deyalsingh: I would love to answer it.

Sen. Mark: All right, well you said you would not allow it, Sir. Is that all?

ANSWERS TO QUESTIONS

Mr. Vice-President: Hon. Senators, before I call on the Leader of Government Business, permit me to remind you that an errata in relation to question No. 1 is on the Order Paper for Questions for Oral Answer, was sent out yesterday. For those who may not have seen it or had sight of it, you can find it on your Rotunda. Leader of Government Business.

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Mr. Vice-President, there are seven questions on notice for oral response, and the Government will be answering all seven. There are two questions for written response, and the responses to those two questions, Nos. 12 and 13 have been submitted to the Clerk. Thank you.

WRITTEN ANSWERS TO QUESTIONS

National Bursaries Programme

(Details of)

12. Sen. Wade Mark asked the hon. Minister of Education:

As regard the National Bursaries Programme, can the Minister provide the following information:

- (i) what are the criteria needed to access the 500 bursaries under said programme;
- (ii) what is the process involved in applying for said bursaries;
- (iii) what are the names and qualifications of the members of the Selection Committee;
- (iv) are the allowances under the new programme larger than those received by scholarship winners; and

- (v) what are the priority areas of post-secondary education and training as determined by the Ministry?

Central Statistical Office

(Government Measures to Update Indices)

- 13. Sen. Wade Mark** asked the Minister of Planning and Development:

Given the obsolete data being provided by the Central Statistical Office (CSO) in terms of unemployment rates, underemployment rates, wage and salary levels as well as productivity levels can the hon. Minister detail the measures to be taken by the Government to update these crucial indices as soon as possible?

Vide end of sitting for written answers.

ORAL ANSWERS TO QUESTIONS

National Junior Hockey Team

(Disallowed Travel)

- 1. Sen. David Nakhid** asked the hon. Minister of National Security:

Can the Minister indicate which official gave the directive to Copa Airlines in Chile that the National Junior Hockey team should not be allowed to travel to Trinidad and Tobago because their PCR reports were in Spanish?

Mr. Vice-President: Minister of National Security.

The Minister of National Security (Hon. Fitzgerald Hinds): Thank you very much, Mr. Vice-President. The Minister of National Security is wholly unaware that any such directive was given by any authorized Government official. However, it should be noted that the TT Travel Pass instructions are clear and unambiguous, and as soon as a person logs on to the TT Travel Pass website, a pop-up window appears with a statement in bold print, and I quote:

The PCR test must be in English only.

Any competent, reasonable person completing the travel pass process, therefore, must of necessity be aware of this requirement, and it is difficult to understand why any such person would not have recognized and would not have known this. Thank you.

Mr. Vice-President: First supplementary.

Sen. Nakhid: Mr. Vice-President, since the Minister of National Security has said he was wholly unaware, it has been stated by no less than the President of the Trinidad and Tobago Hockey Board, who is also the Chairman of SporTT—

Mr. Vice-President: Sen. Nakhid, question. You have to pose the question.

Sen. Nakhid: The question being, that our national junior team was seated in the plane, who else other than the Minister of National Security or someone in that office could have caused them to deplane at that point in time?

Mr. Vice-President: So what is the question specifically for the Minister of National Security?

Sen. Nakhid: The question is: How can the Ministry of National Security be unaware of a directive that can only be issued by his Ministry?

Mr. Vice-President: Minister of National Security.

Hon. F. Hinds: I repeat, I am not aware that any official authorized Government personality would have issued such a directive.

Mr. Vice-President: Sen. Nakhid, any more supplementaries?

Sen. Nakhid: Yes, Mr. Vice-President. Then can the Minister of National Security detail briefly for this honourable Chamber, is there any other Ministry other than the Ministry of National Security that has the power to say “yea” or “nay” to a national team already planed and about to enter Trinidad with all the necessary documents? It is just a simple question.

Mr. Vice-President: Minister of National Security.

Hon. F. Hinds: The Senator describes it as simple. I would describe it as indecipherable. I do not understand this question, Mr. Vice-President.

Mr. Vice-President: Sen. Nakhid, any other supplementaries?

Sen. Nakhid: Given the obvious bewilderment that the hon. Minister finds himself, with a very clear question—

Mr. Vice-President: Ask the question Sen. Nakhid. Ask the question.

Sen. Nakhid: Is he prepared, as the Minister of National Security, who put, eventually, our national team through this tragic ordeal, is he prepared to apologize to the parents and players of the national team?

Mr. Vice-President: I will not allow that question, Sen. Nakhid. Any other supplementaries?

Sen. Nakhid: Yes. Mr. Vice-President, has the Minister of National Security, who stated that, and I quote, “the authority is acting on behalf of TT, if they have a problem in interpreting something, a document, it will make no sense to have someone”—

Mr. Vice-President: Sen. Nakhid, you have to ask the question. You have to get to the question quicker.

Sen. Nakhid: Can I preface it, Mr. Vice-President?

Mr. Vice-President: So no, no. There is no need for a preamble, get to the question to ask the Minister.

Sen. Nakhid: Okay, can the Minister of National Security indicate that the unfortunate policy of not having a foreign language speaker within the office, that eventually turned back the national team, has that been corrected?

Mr. Vice-President: I will not allow that question, Sen. Nakhid. Next question on the Order Paper. Sen. Mark.

Atlantic LNG's Train 1

(Decommissioning of)

2. **Sen. Wade Mark** asked the hon. Minister of Energy and Energy Industries: As regard reports on the Atlantic LNG's Train 1, can the Minister indicate the following:
- (i) whether any decision has been taken to decommission Train 1; and
 - (ii) if the answer to (i) is in the affirmative, when will the decommissioning commence?

The Minister of Energy and Energy Industries, Minister in the Office of the Prime Minister and Acting Attorney General and Minister of Legal Affairs (Hon. Stuart Young): Thank you very much, Mr. Vice-President. As has been said numerous times before, and will be repeated here today, the shareholders of Train I continue to be in discussions as to the future of all of Atlantic LNG's operations, which would include the sharing of costs, income, cargoes and other related items going forward.

Mr. Vice-President: Sen. Mark.

Sen. Mark: Can the Minister indicate whether this plant would be mothballed, given the statement recently made by the Prime Minister?

Mr. Vice-President: Minister of Energy and Energy Industries.

Hon. S. Young: Mr. Vice-President, as has been stated before, we continue to be in discussions with respect to the whole of Atlantic LNG. Anyone with any ounce of engineering would understand, Train I being the first plant, the first train in an LNG facility built, there are certain engineering parts that must continue, that 2, 3 and 4 are appended to. So these conversations and discussions continue, despite the ramblings of the Opposition.

Mr. Vice-President: Sen. Mark, any more supplementaries?

Sen. Mark: So is the Minister indicating to this honourable Senate, that based on

pending discussions, there is a possibility for this plant to continue in operation in the foreseeable future, Mr. Vice-President?

Mr. Vice-President: Minister.

Hon. S. Young: Mr. Vice-President, I cannot predict the future. As I said, we continue. It is not pending discussions. It is continuing discussions, and discussions that are concurrent and continuing, and at the appropriate time, when decisions are finally made, the country will be told the decisions.

Sen. Mark: Could the Minister share with this Senate whether the discussions that are continuing centre around the non-availability of gas for Train I, Mr. Vice-President?

Mr. Vice-President: I will not allow that question, Sen. Mark. Next question, next supplementary if you have one.

Sen. Mark: Can the Minister categorically state whether Train I will eventually die?

Mr. Vice-President: I will not allow that question either, Sen. Mark. Next question on the Order Paper.

Upgrade of Atlantic LNG's Train 1

(Upgrade of)

3. Sen. Wade Mark asked the hon. Minister of Energy and Energy Industries: Given the upgrade of Atlantic LNG's Train 1 by the National Gas Company (NGC), can the Minister advise as to the following:

- (i) the driving economic and financial factors that informed NGC's decision to upgrade Train 1; and
- (ii) the amount spent to date by NGC on said upgrade?

The Minister of Energy and Energy Affairs, Minister in the Office of the Prime Minister and Acting Attorney General and Minister of Legal Affairs

(Hon. Stuart Young): Thank you very much, Mr. Vice-President. The first point is NGC's funding towards Atlantic Train I was for turnarounds and not to upgrade the Train, as is being professed by the UNC Opposition. So NGC's funding towards Atlantic Train I in 2021 was for a turnaround to ensure that the Train was in a state of readiness and, importantly, safe to operate and accept gas for processing.

Per the terms of its supply contract with upstream suppliers, NGC has an obligation to take gas or pay for the product it does not take, known as a take-or-pay contract. In 2021, NGC was potentially faced with upstream gas supply commitments in excess of guaranteed downstream demand, given possible plant shutdowns and sustained reduced industrial activity due to COVID-19.

In addition, at the end of 2020, NGC was still in commercial negotiations with several large consumers as they were seeking contract terms that were uneconomical to NGC over the long-term. Therefore NGC had no firm contractual obligations to several of the large downstream plants in the petchem sector.

Given the drastic decline in commodity prices in 2020, due to COVID-19 pandemic and fears of the second and third waves of COVID impact on reduce d industrial demand in 2021, several of the downstream plants could have made the decision to shut down their operations, at least temporarily, rather than purchase this gas. This would have resulted in continued losses for NGC.

There existed the possibility for NGC to monetize volumes not taken by the petchem plants to Train I for LNG production. In fact, one of the companies opted to shut down two of its plants in April 2021. In as much, the company would have been billed for its upstream commitments, it made commercial sense to find an alternative use for the volumes not taken up by the downstream petchem industry. This would yield incremental revenue for NGC and maximize the

commercialization of Trinidad and Tobago's natural gas resources.

Additionally, Mr. Vice-President, if Train I was closed in 2020, it would also have had an adverse impact on the complex negotiations between Government and the shareholders, thereby placing the people of Trinidad and Tobago who ultimately are the shareholders in a disadvantageous position in the long-term regarding its shareholding, which is critical revenue stream for Trinidad and Tobago and its citizens.

The second part of the question, the answer is NGC only remitted US \$32.4 million to Atlantic for Train I 2021 expenditure, including this turnaround, and there was no upgrade.

Sen. Mark: Mr. Vice-President, given the fact that over 200 million of Trinidad and Tobago dollars were spent on this turnaround, can the Minister indicate, given failure of this exercise, who would be held accountable and culpable for this wastage of expenditure? Can the Minister clarify that for this House?

Mr. Vice-President: Minister of Energy and Energy Industries.

Hon. S. Young: Thank you very much for the opportunity, Mr. Vice-President. I stood in this booth not too long ago and explained to the people of Trinidad and Tobago that for the first time ever in its history, NGC had suffered a loss on its financial accounts. I take the opportunity to remind the people of Trinidad and Tobago that out of that loss, over \$2 billion—not \$200,000, \$2 billion had to be written off by NGC because of the only energy transaction negotiated by the UNC between 2010 and 2015, a bad deal that in the last financial year cost the NGC \$2 billion.

I would like to know who would be held accountable for that bad negotiation, and the only energy transaction ever negotiated by a UNC Government between 2010 and 2015.

Mr. Vice-President: Sen. Mark.

Sen. Mark: Could I ask the hon. Minister, seeing that he has raised this point, whether the Minister of Energy and Energy Industries and the Prime Minister are culpable and accountable for the fiasco—

Hon. Senators: [*Desk thumping*]

Sen. Mark: —that has visited NGC because of your sellout in the negotiations—

Hon. Senators: [*Desk thumping*]

Mr. Vice-President: Sen. Mark. Okay.

Sen. Mark:—with these companies, that resulted in this deterioration?

Mr. Vice-President: Sen. Mark, I am on my legs.

Hon. S. Young: Say it outside.

Mr. Vice-President: Senator! Minister!

Sen. Mark: [*Inaudible*] not going anywhere. You are a sellout!

Mr. Vice-President: Members.

Hon. Senator: Say it here!

Mr. Vice-President: Sen. Mark, please take a seat. Please take a seat. There is a chair in the booth, please take a seat.

Sen. Mark: No, there is no chair there.

Mr. Vice-President: Minister, do the same please.

Hon. Senator: He did nothing wrong.

Mr. Vice-President: We are at the point of dealing with Oral Answers to Questions. This type of back and forth will not be tolerated. You ask a question and you answer your questions succinctly. There will be no quips and barbs thrown at each other, that would end up in the decorum or the dignity of this Chamber being lowered. As we go forward, ask succinctly, answer succinctly. Continue. Do you have another supplementary question? That question that you just asked is not

allowed.

Sen. Mark: Yes several.

Mr. Vice-President: Do you have another supplementary question?

Sen. Mark: I have several.

2.30 p.m.

Mr. Vice-President, we would like the hon. Minister to indicate to this Senate, through you, who will be held accountable for the over \$250 million—

Mr. Vice-President: Sen. Mark, that question was asked and answered already.

Do you have a fourth supplemental, fourth and final, to this question?

Sen. Mark: What role did the Minister of Energy and Energy Industries who is before us today play in the negotiations between the up-streamers and the NGC that has resulted in this matter that the NGC now faces?

Mr. Vice-President: That question—

Sen. Mark: Can the Minister indicate to us what role he played?

Mr. Vice-President: That question will not be allowed. Sen. Mark, next question on the Order Paper.

National Gas Company

(Government's Support for Personal Indemnity)

4. **Sen. Wade Mark** asked the hon. Minister of Energy and Energy Industries: Can the Minister provide the reasons advanced by the directors and management of the National Gas Company for seeking the Government's support and approval for personal indemnity in respect of the recent investment of over \$440m in Atlantic LNG's Train 1?

The Minister of Energy and Energy Industries, Minister in the Office of the Prime Minister and The Acting Attorney General and Minister of Legal Affairs (Hon. Stuart Young): Mr. Vice-President, whilst NGC stands by its

decisions which were made after due diligence and analysis of the best information available at the time, it must be recognized that other strategic considerations surrounding Train 1 which impacted the wider Atlantic unitization discussions which to date, are ongoing between Government and global multinational oil companies and which are outside of the control of the NGC board, can and have impacted on the future of the Train and the entire Atlantic facility. It is accepted business practice in circumstances such as these that the board members be indemnified for decisions taken in good faith after appropriate due diligence.

Further, NGC remitted \$224 million to Atlantic for Train 1 in 2021 expenditure including Train 1's turnaround costs are not \$440 million. It is unfortunate that the actual cost of this exercise continues to be grossly misrepresented and inflated by Members of the Opposition UNC.

Mr. Vice-President: Sen. Mark.

Sen. Mark: Mr. Vice-President, can the Minister categorically say to this Senate, through you, whether the board of directors of both the NGC and the NGC LNG were granted personal indemnity by the Cabinet and/or the Government of the Republic of Trinidad and Tobago? Can he clear that matter up for this honourable Senate?

Mr. Vice-President: Minister.

Hon. S. Young: Thank you very much, Mr. Vice-President. As has been stated in the other place before and I am happy to state it here again. The answer is, no. No indemnification has been granted by the Cabinet of Trinidad and Tobago. However, if such an occasion arises, it will be given due consideration by the Cabinet as all matters are.

Mr. Vice-President: Sen. Mark.

Sen. Mark: May I ask, Mr. Vice-President, through you, whether the Minister can

share with this honourable Senate whether any such proposal has reached the desk of the Minister of Energy and Energy Industries or the Government, seeking personal indemnification of the directors of NGC and NGC LNG?

Mr. Vice-President: Minister.

Hon. S. Young: Mr. Vice-President, as I believe as has been stated before both by the Minister of Finance, as well as the former Minister of Energy and Energy Industries before my time, such discussions may have taken place. But as I said, at the appropriate time, if necessary, the Cabinet will give all matters due consideration.

Mr. Vice-President: Sen. Mark.

Sen. Mark: Mr. Vice-President, may I ask through you to the hon. Minister, if the Cabinet were to grant such indemnification, would the Minister not agree with me that that would be equivalent to misbehaviour and misconduct—

Hon. Members: [*Desk thumping*]

Sen. Mark:—in public office? Can I ask the hon. Minister whether he can share?

Mr. Vice-President: Sen. Mark, I will not allow that question. Next question. Supplemental.

Sen. Mark: Mr. Vice-President, can the hon. Minister indicate to this honourable House whether he can provide to us in writing the names of the contractors and service providers who enjoyed, Mr. Vice-President, this sum involving over 200 million of taxpayers' dollars for the turnaround of Train 1? Can he provide us in writing?

Mr. Vice-President: I will not allow that question, Sen. Mark. Next question on the Order Paper. Sen. Lutchmedial. You can stay there and ask.

COVID-19 Delta Variant

(Details of)

UNREVISED

25. Sen. Jayanti Lutchmedial asked the hon. Minister of Health:

In light of the detection of the COVID-19 Delta variant in this country's general population, can the Minister indicate the following as at September 25, 2021:

- (i) how many positive COVID-19 samples have been tested for the presence of said variant; and
- (ii) what criteria are being used to test positive COVID-19 samples for the Delta variant?

The Minister of Health (Hon. Terrence Deyalsingh): Thank you. Thank you very much again, Mr. Vice-President. The number of positive COVID-19 samples that have been tested for the variant, that is the Delta variant as at September 25, 2021 is 1,482. And the criteria being used to test all variants including the Delta variant are as follows:

- A. All persons locally having entered or belonging to migrant populations with a positive COVID-19 test result;
- B. All repatriated of persons arriving with a positive test result;
- C. Fully vaccinated individuals with a cycle threshold or CT value of less than 20;
- D. Any clusters from a community case with a cycle threshold CT value of less than 20; and
- E. Requests from health institutions both in the public and private sectors where patients fit the criteria as outlined in the Ministry of Health's protocols.

Mr. Vice-President: Sen. Lutchmedial.

Sen. Lutchmedial: Yes. Thank you. Thank you, Mr. Vice-President. Hon. Minister, earlier this year in April of this year when we had the entry of the P1

variant you told this honourable House that the genetic sequencing testing was a project of the University of the West Indies and that the Ministry had pledged financial assistance, as well as they were in talks with the British High Commission to increase the testing capacity at the University of the West Indies. Can the Minister give this honourable House an update on those measures to increase the testing capacity for genetic sequencing at the University of the West Indies?

Hon. T. Deyalsingh: Sure.

Mr. Vice-President: Minister of Health.

Hon. T. Deyalsingh: So the Ministry of Health did, we promised and we did give that department at UWI half a million dollars. That was able to purchase genomic sequencing equipment to increase the capacity from five at a time because they were doing—it comes like a pregnancy test cartridge where you put in five samples, to almost increase that by a factor of 20. So that was the contribution of the Ministry of Health.

CARPHA also donated other equipment to the University of the West Indies. The public health donation, the public health England donation, I will have to check that one. But the capacity at UWI has significantly increased from five at a time to now at the value of hundreds.

Mr. Vice-President: Sen. Gopeesingh.

Sen. Dr. Gopeesingh: Thank you very much, Mr. Vice-President. Hon. Minister, would you be able to kindly, if you can, give an idea of the percentage of positive cases that go for screening for the Delta variant? If you have 100, about how many would go to UWI and to CARPHA for the screening for the Delta variant?—admitting that not all go.

Hon. T. Deyalsingh: Okay. So that question does not appreciate the process for

screening, so I will inform the honourable House. CARPHA is the collection agency for all samples from Caricom that do not have individual capacity. They collect the samples. CARPHA then sends the samples to UWI, so CARPHA does not test. UWI does the testing for the Caricom region. So it is not to say that CARPHA does testing and UWI does testing. So all the samples we send that fit the criteria are sent to CARPHA, CARPHA in turn sends it to the University of the West Indies for testing, all 100 per cent that meets the criteria.

Mr. Vice-President: Sen. Gopeesingh.

Sen. Dr. Gopeesingh: Thank you. Hon. Minister, would you kindly give us a little idea of what are the criteria that are required for transmission from CARPHA to UWI?

Hon. T. Deyalsingh: I just called it out.

Sen. Dr. Gopeesingh: No.

Hon. T. Deyalsingh: Should I repeat it?

Sen. Dr. Gopeesingh: Yes, Sir.

Hon. T. Deyalsingh: Yes.

- A. All persons locally having entered or belonging to migrant populations with a COVID-19 test result;
- B. All repatriated persons arriving with a positive test;
- C. Fully vaccinated individuals with a cycle threshold value of less than 20;
- D. Clusters from the community with a cycle threshold value of less than 20;
and
- E. Requests from health institutions both in the public and private sectors where patients fit the criteria as outlined in the Ministry of Health's protocols.

Mr. Vice-President: Sen. Lutchmedial.

Sen. Lutchmedial: Minister, hon. Minister, could you just give us an indication, if you can, of the turnaround time for the additional genetic sequencing testing that takes place when a sample is sent from CARPHA to UWI where it fits the criteria? What is the turnaround time for that genetic sequencing?

Hon. T. Deyalsingh: What additional testing are you speaking about?

Sen. Lutchmedial: The genetics sequencing testing that you said is taking place at UWI.

Hon. T. Deyalsingh: Yeah.

Sen. Lutchmedial: What is the turnaround time for the results to see whether or not that sample is positive for the Delta variant?

Hon. T. Deyalsingh: Sure. Typically about 24 hours.

Sen. Lutchmedial: And that is in—sorry.

Mr. Vice-President: Go ahead.

Sen. Lutchmedial: And that is in addition to the time it takes to get the positive result from CARPHA?

Hon. T. Deyalsingh: No. CARPHA does—[*Laughter*] let me repeat. CARPHA does not do the testing. CARPHA collects the samples from the Caricom, as I just explained, and sends to UWI for testing. CARPHA does not test. CARPHA collates the samples and sends them to UWI for testing. Okay?

Sen. Lutchmedial: That is it.

Mr. Vice-President: You have one more supplemental, Sen. Lutchmedial.

Sen. Lutchmedial: Sorry. Thank you, Minister.

Mr. Vice-President: No. No. You have one more, if you have it to ask.

Sen. Lutchmedial: So in addition—so you are saying that in total if you have a sample that fits this criteria, what is the average turnaround time for a person who tests, let us say the person presents themselves at a private laboratory, let us say,

for testing, what is roughly the turnaround time between that person presenting themselves and getting their final result that they are positive and that they are also positive for the Delta variant?

Hon. T. Deyalsingh: Right. So you are talking about taking of sample, sending to CARPHA, sending to UWI, reporting of results. That could take upwards of 24 hours. But the actual turnaround time for the testing is 24. It will depend on the number of tests that you have to run. So in other words, UWI is not going to run one sample because it is not a good use of time and so on, so they amalgamate tests. So if you have one test today, one test tomorrow they might amalgamate. But the turnaround time for testing is 24 hours. The turnaround time from sample taking to results could be upwards of 24 hours and that is variable.

Forensics Sciences Centre

(Vacancies at)

26. Sen. Jayanti Lutchmedial asked the hon. Minister of National Security:

As regard vacant positions at the Forensics Sciences Centre, can the Minister advise of the following as at September 25, 2021:

- (i) how many vacant posts exist at the Centre; and
- (ii) how long has each post been vacant?

The Minister of National Security (Hon. Fitzgerald Hinds): Thank you very warmly, Mr. Vice-President. Mr. Vice-President, as at September 25, 2021, there were 37 vacancies on the permanent establishment and 18 vacant contract positions at the Trinidad and Tobago Forensic Science Centre. However, there are 26 persons acting in the 37 positions of vacancy on the permanent establishment.

In respect of part two, the length of time that the positions have been vacant is as follows: Managerial positions, between one and two years; administrative positions, between five and seven years; professional/technical, between three

months and nine years; manipulative, between seven months and seven years. I thank you warmly, Mr. Vice-President.

Mr. Vice-President: Sen. Lutchmedial.

Sen. Lutchmedial: Hon. Minister, in February of this year the then Minister of National Security indicated that there were plans on the way to bring in forensic pathologists both under a UNDP programme, as well as privately, that they were making efforts to recruit. Can the Minister give this House an update on that initiative to recruit more forensic pathologists for the Forensic Science Centre?

Hon. F. Hinds: I thank you for the opportunity. I am happy to advise that since that time, in fact, another forensic pathologist has been hired through the UNDP programme of which the Member or the Senator spoke. And of course the full complement is four, we now have three and we are aiming, Mr. Vice-President, to fill that other vacancy with promptitude. I might advise further that we the Government, recognizing the ongoing circumstance around pathologists, we again are in the process of identifying suitably qualified and ambitious young citizens of Trinidad and Tobago to whom we would offer scholarships and would be available to fill these vacancies and to keep us sufficiently staffed for the foreseeable future. I thank you.

Mr. Vice-President: Sen. Gopeesingh.

Sen. Dr. Gopeesingh: Thank you. Mr. Vice-President, hon. Minister of National Security, what steps are being taken by the Government to bring back evidential aspects of a criminal case when it is in the hands of a pathologist who is abroad? And for these who here now, if they leave and go abroad, how does the Government or the Ministry of National Security secure their—either their information on the particular cases? That is the first part I would like to ask you.

Hon. F. Hinds: The problem that—

Mr. Vice-President: I will not allow that question, Sen. Gopeesingh. Next question.

Sen. Dr. Gopeesingh: Next question?

Mr. Vice-President: Yeah, if you have another one.

Sen. Dr. Gopeesingh: The issue of the present staff doing criminal cases, how would the State deal with, at the expiration of these contracts, what will happen to the evidence that the pathologists have in their portfolio?

Hon. F. Hinds: The problem that the Senator is alluding to is as old as Methuselah, if you will permit me that kind of metaphor, Mr. Vice-President, not new. I suspect it existed from the time we had established a Forensic Science Centre and persons who would have been hired by the, or contracted by the Forensic Science Centre would have retired or demitted office or sorry, left those offices for some other reason. The Evidence Act of Trinidad and Tobago and the current legal arrangements ensure that that is not a problem. The records are able to be read into the courts as part of the evidence and I know of no case where that has been a problem in respect of the law of evidence.

Sen. Dr. Gopeesingh: Thank you.

Mr. Vice-President: Sen. Lutchmedial.

Sen. Lutchmedial: Hon. Minister, we were informed some time ago of plans for a new Forensic Science Centre. Has the Ministry undertaken any sort of human resource exercise to estimate the additional staffing that may be necessary when this new centre is built?—which we were told is about six times the size of the existing centre. Have you all begun any sort of HR or organizational development type of exercise to determine what would be the staffing requirements when the new centre is built and comes on stream?

Mr. Vice-President: Minister.

Hon. F. Hinds: Mr. Vice-President, the Government is fully aware that a Forensic Science Centre is not merely a building. And happily we are in recognition of the fact that a new and modern and digitized operation is necessary. And the Member, the Senator recognizes that the Government is on that path, at the very least, and we are doing that. Obviously in the consideration for that we recognize that there will be need for personnel and all of that. And all of these matters quite naturally with this Government are in and within our contemplation.

Mr. Vice-President: Sen. Gopeesingh.

Sen. Dr. Gopeesingh: Hon. Minister, would you be kind enough to indicate whether our Forensic Science Centre is accredited internationally so that we can withstand the scrutiny of the legal processes?

Mr. Vice-President: I will not allow that question, Sen. Gopeesingh. Next question. Or does anybody has. You have another question, Senator? Next question on the Order Paper.

**Forensics Sciences Centre
(Samples Awaiting Processing)**

27. Sen. Jayanti Lutchmedial asked the hon. Minister of National Security:

Given ongoing concerns regarding the backlog of samples awaiting processing at the Forensics Sciences Centre, can the Minister indicate the number of samples awaiting processing in the following categories as at September 25, 2021:

- (i) biological samples;
- (ii) toxicology samples;
- (iii) narcotics samples; and
- (iv) items for firearms analysis?

The Minister of National Security (Hon. Fitzgerald Hinds): Thank you very

much, Mr. Vice-President. Mr. Vice-President, in respect of biological samples there are really four categories that we work with at the Forensic Science Centre. Biological samples, toxicology samples, narcotic samples and items for firearm analysis.

In respect of the biological samples, on March 07, 2018, the biological section was temporarily closed due to health and safety issues such as mould on the walls of that building and the ceiling and other infrastructural deficiencies. Those are the conditions that partly led to our decision to establish a brand new centre as the very Senator acknowledged and we quite proudly a moment ago.

Notwithstanding, during this period of closure, the unit continued to receive samples from the Trinidad and Tobago Police Service. Operations having resolved those problems that temporarily arose, recommends on a phased basis on October 04, 2021. However, as at September 25, 2021, the total number of biological samples awaiting processing is 6,983.

In respect of toxicology samples, these samples include those from post-mortems and blood from Mount Hope and Port of Spain General Hospitals which were not completed due to the need to conduct repairs to the gas chromatograph equipment. Repairs of this equipment are anticipated to be completed within the next two months. And as at September 25, 2021, the total number of outstanding toxicology samples is 2,100.

In respect of narcotics samples, the very equipment of which I just spoke is also used to process narcotic samples. In the interim, cases are being manually extracted until repairs to this equipment is completed. As at September 25, 2021, the total number of narcotic samples awaiting processing is 97.

And in respect of items for firearm analysis prior to February 2021, the Forensic Science Centre had four scientific officers responsible for processing

these. Thereafter, 21 police officers identified in and from the police service were brought to full bear and effect at the Forensic Science Centre and five forensic analysts, and they were trained in firearm and tool mark examination to alleviate the case backlog and increase the human resource capacity. As at September 25, 2021, the total number of items awaiting firearm analysis is 6,920.

Mr. Vice President, let me say, in my personal view and as Minister, this state of affairs is wholly—this state of affairs is undesirable and I give this Parliament and this country the assurance that once I went to the desk—the desk of Minister of National Security I have taken, am taking regular attention to, with the help of the experts at the Forensic Science Centre, we have a programme in place ongoing as we speak to eliminate the backlogs of which I just spoke and we are confident that this process along with the new digitized platform that we anticipate in the foreseeable future will deal with this untenable state of affairs that has acquired or become acquired, accumulated over many years. Unsatisfactory and we are on the job in respect of resolving this, because we understand, Mr. Vice-President, the critical role that the Forensic Science Centre plays and would continue to play in the entirety of the criminal justice system in Trinidad and Tobago and there are many criminals to deal with in this land. I thank you.

Mr. Vice-President: Sen. Lutchmedial.

Sen. Lutchmedial: Minister, based on your response specifically with the requests—the response in respect of biological samples, is it my understanding that between October 2018 and October 2021, there were no biological samples tested at the Forensic Science Centre resulting in this backlog of 6,983?

Hon. F. Hinds: The Senator wants me to repeat the answer. I was quite clear in my response to the question, Mr. Vice-President.

Mr. Vice-President: It is up to you.

Hon. F. Hinds: Well, in which case let me read again. On March 07, 2018, the biological section was temporarily closed due to health and safety issues such as mould on the walls and ceiling and other infrastructural deficiencies. Notwithstanding, during this period of closure the unit continued to receive samples from the Trinidad and Tobago Police Service. Operations recommenced on a phased basis on October 04, 2021. However, as at September the 25th the number of biological samples awaiting processing is 6,983.

Mr. Vice-President: Sen. Lutchmedial.

Sen. Lutchmedial: During the period March 2018 to October 2021, were any steps taken to facilitate independent testing at private laboratories or so on of these biological samples that were still being received by the Forensic Science Centre but which could not be tested?

Mr. Vice-President: Minister of National Security.

Hon. F. Hinds: I am loath to making a clear statement on that matter. That matter can be researched and the information will be made available at the first opportunity to the Senator.

Mr. Vice-President: Sen. Lutchmedial.

Sen. Lutchmedial: Minister, given that there are, in addition to the 6,983 court matters which are probably not progressed due to the non-testing of biological samples, and you mentioned 6,920 firearm analysis cases which are awaiting testing as well, which could also translate into court matters that are awaiting progress in the courts, we know that there is a unit known as SERU and you spoke of, I think it is evidence recovery unit which deals with firearm analysis, could you tell us what determines whether the collection of any items for firearm analysis or shell casings and so on, whether it is sent to SERU or whether it is dealt with at the Forensic Science Centre? Or have those operations been integrated?

Mr. Vice-President: Minister of National Security.

Hon. F. Hinds: Again, as Minister I do not function at the operational level. But suffice it to say, that it is my understanding that SERU does analysis to demonstrate that the thing, the object is or is not a firearm and the evidence from SERU is accepted in the courts. And as a consequence many of the cases that my friend alluded to continue to go through the courts and the court accepts those bits of evidence as a matter of course.

Mr. Vice-President: Sen. Lutchmedial.

Hon. F. Hinds: In respect of ballistic testing and matching and so on, that is done exclusively by the Forensic Science Centre in the department to which I alluded a while ago.

Mr. Vice-President: Four and final question, Sen. Lutchmedial.

Sen. Lutchmedial: With respect to financial responsibility, is SERU funded through the budget for the Trinidad and Tobago Police Service or the budget from the Ministry of National Security allocated to the Forensic Science Centre?

Mr. Vice-President: I will not allow that question, Sen. Lutchmedial.

3.00 p.m.

FOREIGN LABOUR CONTRACTS (REPEAL) BILL, 2021

The Minister of Labour (Hon. Stephen Mc Clashie): Mr. Vice-President, I beg to move:

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

Mr. Vice-President: Sorry, Minister of Labour, could you—once the booth is cleared.

Hon. S. Mc Clashie: Mr. Vice-President, I thank you for the opportunity to contribute to the debate on the Foreign Labour Contracts (Repeal) Bill, 2021. The objective of this Bill is to repeal the Foreign Labour Contracts Act, Chap. 88:11.

Mr. Vice-President, the Foreign Labour Contracts was enacted on February 10, 1900, as the Foreign Labour Contracts Ordinance. At that time, Trinidad and Tobago was still a Crown Colony of the British Empire with a governor as its head. The underlining reason for the ordinance enacted was to curb the massed outward migration of labourers from Trinidad and Tobago which would have threatened the economic stability of the then colony. I am certain that we all are versed in the history of our country but permit me to paint the historical context that gave rise to this ordinance.

The social and economic conditions existing in Trinidad and Tobago at the turn of the 20th Century provided the impetus for the introduction of this ordinance by the colonial government. The working class population of Trinidad and Tobago grappled with bleak living conditions, working conditions, low wages, dismal economic prospects in the early 1900s. Many disgruntled labourers began to seek opportunities in other Caribbean islands. Most notably, Mr. Vice-President, was the fact that construction began in the nearby Panama on the Panama Canal and this project drew thousands of West Indian labourers from Jamaica, Barbados, St. Lucia, and Trinidad and Tobago. It is estimated that between 1881 and 1914, a total of 200,000 West Indians made the journey to Panama in hopes of a better life.

The debates in the Legislative Council in the 1900s 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 many of the hands that were needed in Trinidad and Tobago. This mass outward migration threatened the fragile economy of the colony and as a consequence, the then colonial government

sought to control movement of labours beyond the shores of Trinidad and Tobago.

The current Act, Mr. Vice-President, section 3, stipulates that:

“Any employer, or any person acting...on behalf of an employer...”—must—“not without...first...”—having—“obtained...”—the written leave of the President—“hire...any person to leave Trinidad and Tobago...for the purpose of being employed...in any foreign country.”

A “foreign country”, Mr. Vice-President, is defined under section 2 as:

“...any country not within the Commonwealth...proclaimed to be a foreign country by the President for the purposes of this Act.”

The consequence of this was that the Act would remain dormant unless brought into force against a particular country that had been proclaimed a foreign country by the President.

Mr. Vice-President, the Act itself is only nine sections in length and an examination reveals that section 3 in the main Act is really the relevant and pertinent clause that guides this particular Act. This section really said that you could not leave Trinidad and Tobago to go to non-Commonwealth country to perform works and the other subsets of the Act laid out the punitive measures that would occur if you did so. So if someone was found wanting to leave Trinidad and Tobago and did not get a prerequisite approval, then they could be charged \$4,500 and three months in prison. Additionally, if they tried it a second time, they would still pay the 4,500 and spend three years in jail. Such was the measure of this Act in terms of bringing citizens toward punitive measures. The Act today, should it be put in force, would mean that all nationals willing to take up employment in foreign countries would have to obtain, as a pre-requirement for their departure, the leave of the President of the Republic of Trinidad and Tobago.

Mr. Vice-President, thousands of nationals have in the past, continue today and would seek in the future to embark on opportunities for their own advancement outside of Trinidad and Tobago. A proclamation under the Act could therefore be an infringement to the fundamental rights of freedom of movement afforded to each citizen of this country. At the time of the ordinance's original enactment, the original wording stated that a foreign country was a country not within Her Majesty's domain. Consequently, Mr. Vice-President, the aim was to prevent Trinidad and Tobago labourers from migrating by keeping them within the British Empire and under colonial rule. However, as the former Secretary-General of the United Nations, Ban Kimoon once observed:

“Migration is an expression of the human aspiration for dignity, safety and a better future...It is part of the social fabric, part of our very make-up as a human family.”

Whilst it is recognized that this is not an unfettered right, any infringement thereof ought to be as stated in section 13 of the Constitution of the Republic of Trinidad and Tobago:

“...be reasonably...”—justified—“in a society that has a proper respect for the rights and freedoms of the individual.”

Trinidad and Tobago has long since broken the shackles of the colonial past and this year, we celebrate 59 years as an independent nation. The last proclamation made under this Act declared French Guiana a foreign country in 1946, some seven decades ago. There are no current proclamations under the Act and thus, it is dormant and so it has been for more than half a century. Mr. Vice-President, to put it simple, this Act is archaic and its principles in no way reflect the modern democratic reality of Trinidad and Tobago. Since Trinidad and Tobago gained independence in 1962 and became a republic in 1967, there have been no

amendments to the Act. The Act has been absent from the *Hansard* debates of Parliament and there has been no recorded public interest with this Act. This seriously calls into question the utility and relevance of the Act today. Whilst the Act has remained stagnant for all these years, Trinidad and Tobago, on the other hand, has developed and progressed significantly since 1900.

In the words of William Lacy Swing, former Director-General of the International Organization for Migration:

“...migration is not so much a problem to be solved as a reality to be managed.”

This management must occur within the framework of our fundamental human rights protected at both the international and national levels. Mr. Vice President, on the occasion of Trinidad and Tobago’s independence, we became a member state of the United Nations. With membership to this international body, we are bound by the Universal Declaration of Human Rights which 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 civil and political rights of individuals, including the right to life, freedom of religion, freedom of speech, freedom of assembly, electoral rights, and freedom of movement as covered in Article 12. To further buttress the point, the principle of freedom of movement has also been enshrined in the Constitution and section 4(g) states:

“It is hereby recognised and declared that in Trinidad and Tobago there have existed and shall continue to exist, without discrimination by reason of race, origin, colour, religion or sex, the following fundamental human rights and freedoms, namely:

(g) freedom of movement.”

As a democratic nation, Trinidad and Tobago is founded on respect for rights and freedoms of the individual.

Mr. Vice-President, the Act came into force at a time when the colonial government feared that a large immigration from Trinidad and Tobago and outside of the British Empire would severally diminish the labour pool. There was work to be done in the oil fields and on the sugar plantations and cocoa estates, and labourers were needed to do this. The ordinance was therefore the solution chosen by the then colonial government to remedy the problems and challenges faced at that particular time.

In the 121 years, since the ordinance’s first enactment, Mr. Vice-President, Trinidad and Tobago, and indeed the wider Caribbean, have come together to support and encourage the free movement of skilled and unskilled labour. The Caricom Single Market and Economy initiative envisioned an establishment of a common economic zone within the region. One of the fundamental hallmarks of the CSME is the promotion of free mode of movement of skilled community nationals and nonwage earners, either as service providers and/or to establish businesses in the nations and countries with which they choose to reside. In this way, trade and investment is facilitated through the Caribbean and work permits are rendered obsolete for those within the Caricom region.

Since the 1960s, Mr. Vice-President, the Government of Trinidad and Tobago has encouraged the free movement of nationals to Canada in order to partake in Canadian Seasonal Agricultural Worker Program. The programme provides Canada with a cost efficient way of sourcing contractual agricultural workers on a seasonal basis to meet the short term demand for manual labour during the peak planting and harvesting periods. Each year, hundreds of nationals

make the journey to Canada for such agricultural work and the programme has been an effective measure in reducing employment within Trinidad and Tobago and addressing the wider issue of poverty.

Mr. Vice-President, the move to repeal this Act is not being made in isolation and the Ministry of Labour has undertaken extensive 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 our invitation letters to 56 stakeholders, inclusive of national and international agencies, government and nongovernmental organizations, and to receive comments on the Act. Responses were received from various entities, 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 Trinidad and Tobago House of Assembly, Division of Community Development, Enterprise Development and Labour. The majority responses for this call for commence noted that the Act had no modern relevance to the stakeholder operations. The national stakeholder consultation was attended by 119 persons who represented worker organizations, such as: the National Trade Union Centre, the Joint Trade Union Movement; employer organizations including: the Trinidad and Tobago Chamber of Industry and Commerce, the Employer Consultative Association; government agencies, notably: 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, IOM and the ILO.

At the national consultation, Mr. Vice-President, there have been a majority support by stakeholders in favour of the repeal of the legislation based on all of the reasons mentioned earlier. One of the issues that we sometimes forget is that of the 200,000 people who went to the Panama Canal between 1884 and 1914, that approximately 4,500 of our brothers and sisters did not return to their native lands because they died, essentially, of malaria and/or work and HSE issues in building the canal. So this Bill, which was draconian to say the least, really prevented people from looking after their lives or loss of it in one way, and livelihoods. And I think that in 1921, it is really the duty of the 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 the Indian politician, Vayalar Ravi once said:

“Migration - whether immigration or return - at the micro level is an individual choice, and government...”—has a role—“only to facilitate the decision of the individuals.”

As the modern democratic society that has proper respect for the rights of individuals, archaic legislation ought not to remain on our statute books, thereby binding us to our colonial past. We must be progressive and the legislation must respond to and treat with modern circumstances and challenges. This is a move that has the approval of 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. I thank you, Mr. Vice-President, and I beg to move.

Hon. Senators: [*Desk thumping*]

Question proposed.

Sen. Wade Mark: Thank you, Mr. Vice-President. The matter that we are addressing, as the Minister has identified, deals with an Act that is almost 121

years old known as the Foreign Labour Contracts Act. Now, no one can argue, Mr. Vice-President, that this piece of legislation emerged when Trinidad and Tobago was a Crown Colony under British colonial rule. Now, the Minister did indicate that when we talk about foreign country or foreign countries, the legislation at that time, and what is before us only considered Commonwealth or countries within the Commonwealth to really qualify and labourers would consequently benefit in any kind of outward migration.

Now, the Minister also indicated, Mr. Vice-President, that it was sometime in March of 2019 that a consultation was held to review this Act and he mentioned that over 119 persons participated and a number of organizations. I did not get from the hon. Minister, in his presentation, whether the trade union movement represented by JTUM and the National Trade Union Centre, what was their position on this particular piece of legislation. My information, and the Minister can guide me on this one, was that at the material time when this matter was being reviewed, there was the view expressed that the legislation ought to be amended rather than to be fully repealed. But I stand to be corrected because I did not take part in those consultations that were held in March of 2019.

But having regard to what is being proposed here and again having taken into account, Mr. Vice-President, that in a modern democratic state where Trinidad and Tobago has a Constitution, there are fundamental rights and freedoms, particularly as it deals with freedom of movement of citizens in and out of our country, the fact that we are a signatory to the Universal Declaration on Human Rights, and there is a covenant, as the Minister said, that addresses at the United Nations level, civil and political rights that would encompass all these fundamental freedoms, including movement and assembly, the question is: We are repealing this piece of legislation, but what is the Minister putting in place or putting in its

place to ensure that the rights—the human rights of workers are in fact safeguarded and protected?

Mr. Vice-President, we know that in Trinidad and Tobago today contractors, recruiters come to these shores, or today they may be doing it virtually, to recruit our nurses. Even in today's papers, we have the President of the Trinidad and Tobago Registered Nurses Association speaking to the issue of close to 100 nurses having left this land to go on towards greener pastures. Now the question that has to be asked: Is what mechanisms are in place, Mr. Vice-President, in this modern period to ensure that workers, labourers, skilled personnel who are leaving our shores to go into other jurisdictions, whether it is the United Kingdom, whether it is the United States, whether it is Canada, what mechanisms, what protocols, what regulations are in place to ensure that the rights of our workers are in fact protected and safeguarded?

Mr. Vice-President, what kind of relationship do we have with the authorities in the United Kingdom, in the United States, in Canada to ensure that when our people, our professionals leave here, at least their human rights are protected and safeguarded? Mr. Vice-President, you know that there are citizens who have left here and they have gone to the Middle East to work, whether in Saudi Arabia, whether in Kuwait. The question again that arises: Is whether there are mechanisms in place to protect these workers when they migrate to other lands, Mr. Vice-President? And we were hoping that the Minister would have shared with this honourable Senate, yes, there is a proposal before us, there is a policy decision before us in the form of this Bill, to repeal the Foreign Labour Contracts Act. Yes, that is a fact. But in repealing this particular Act, Mr. Vice-President, what measures are being put in place to protect the rights of workers?

Because, Mr. Vice-President, today the Minister made mention of it, migration is a reality that we have to address. We have workers who are being attracted to work in other jurisdictions and, Mr. Vice-President, there are workers who are being contracted to work in our jurisdiction, Trinidad and Tobago. So, in this regard, I would like the hon. Minister to share with this Senate exactly what mechanisms will the Government be putting in place to ensure that citizens who migrate to work in other jurisdictions, what kind of protection, what kind of mechanisms, what kind of protection do we have in place for those workers who are migrating to other jurisdictions? I think this is very critical and very vital for us to understand.

3.30 p.m.

And, Mr. Vice-President, I know that the Minister has chosen this piece of legislation, but there are many other pieces of legislation that we have inherited from the colonial system, from the colonial authorities that are impacting negatively on the human rights of the citizenry of our country. And I wanted to ask the hon. Minister, what is the Government doing to deal with these matters? So, for example, Mr. Vice-President, there is a colonial piece of legislation called “Workmen’s Compensation Act”, the Workmen’s Compensation Act. But this is an outdated piece of legislation and the Government should be telling us today, through the Minister of Labour, as a colonial relic, does the Government intend to repeal that Workmen’s Compensation Act and replace it with a modern employee injury and disability Act.

I would have thought that the Minister would have been doing what I call or pursuing, Mr. Vice-President, a more holistic approach looking at those pieces of labour legislation that are detrimental to the advancement of the human rights of workers in this land of ours, Trinidad and Tobago. So I ask the Minister whether

there is any intention on the part of the Government to address this particular issue. And, Mr. Vice-President, the Government is moving to repeal this 1900 piece of legislation, but we also have on our books, on our law books, a law called the Retrenchment and Severance Benefits Act that does not really benefit workers. When these workers are retrenched, when companies go into receivership or liquidation, they go home without any severance payments.

So I would like the hon. Minister in responding, in replying, to tell this honourable Senate, what is in store for workers as it relates to repealing the Retrenchment and Severance Benefits Act. And, Mr. Vice-President, can the Minister advise us whether in 2021, we are debating this matter today, whether prior to debating this measure did the Minister engage in any further consultations with the relevant stakeholders. And I am dealing essentially here with the trade union movement, the labour movement, because this legislation, Mr. Vice-President, focuses on the working man and woman, focuses on the labouring classes.

So if this legislation that we are repealing, that deals with labour rights or labour relations involving labourers and workers one would have thought that our Minister of Labour would have consulted with the trade union movement and to get their thinking on this particular measure that we are dealing with today. Because I listened very closely and carefully to the Minister's statement and nowhere in his statement did he indicate to this honourable Senate any agreement or disagreement involving NATUC and JTUM and FITUM when they had this consultation in March of 2019 towards this piece of legislation. Did they object? Were they in support of the repeal of this legislation? Did they put forward alternative proposals? The Minister did not tell us. So we do not know what was the position of the National Trade Union Centre on this piece of legislation back in

March of 2019. We do not know what is the position of the National Trade Union Centre and JTUM and FITUM and now, Mr. Vice-President, in 2021, November, we are repealing this piece of legislation and we do not know what is the position of the Trade Union Movement.

As a matter of fact, Mr. Vice-President, I have been advised that the Minister of Labour and his Ministry had no consultation whatsoever with the National Trade Union Centre and with the Joint Trade Union Movement on this piece of legislation that is before us today. Now, Mr. Vice-President, in principle we may not have a difference or a fundamental difference to the matter that is before us, but we must be informed by the thinking and the views of those who are going to be affected either directly or indirectly by what we are debating today. And it is very unfortunate that the Government did not find it fit or did not see it fit or appropriate to consult these very important stakeholders that I have mentioned, JTUM, NATUC and FITUM, the Joint Trade Union Movement, the National Trade Union and the Federation of Independent Trade Unions. So this is a matter of concern to us and I would certainly like the hon. Minister to indicate why this matter was not raised with the relevant stakeholders, in this instance labour.

Mr. Vice-President, I also would like to ask the Minister, we are repealing this piece of legislation because it is archaic, it is outdated, it is not relevant, particularly in a period of universal declaration of human rights and movement into and out of countries. It is coming at a time when migration and migrants and migrant workers is on top of the agenda. In fact, Mr. Vice-President, I think there are over 200 million people or even more in the world today that have left their country to go into other countries through migration in order to find a better life, in search of a better quality of life, in search of a higher standard of living. So that is something that the human spirit will always soar towards, greater opportunity,

greater exposure, so that they can improve their living and their working conditions, that they can improve their quality of life and standard of living.

So that is important, Mr. Vice-President, but I would like the Minister of Labour to share with this honourable Senate, why in 2021 the Government of Trinidad and Tobago, Mr. Vice-President, would have foreigners manning the *Buccoo Reef*, the boat called Buccoo, the ferry and the *APT James*? Mr. Vice-President, do you know that it is foreigners who are taking out foreign exchange from our nation's treasury, who are now responsible for manning those two ferries in our country? And I would like the Minister of Labour to explain to this honourable Senate as we deal with this question of foreign labour contracts, is the Minister aware that there are foreigners in Trinidad and Tobago operating on these ferries between Scarborough and Port of Spain at the expense of qualified nationals who are trained, who are skilled, who have the talent to run and to manage and to command these ferries that are now under the control of foreigners?

So here it is, Mr. Vice-President, we are repealing a measure today that deals with foreign labour contracts and the very government that is seeking to do so is in fact promoting at the same time foreigners over and at the expense of nationals of Trinidad and Tobago. So what do we have, Mr. Vice-President, do we have colonialism in reverse? Have we just gotten rid of the British colonialist and we have replaced them with Trinidad and Tobago colonialist.

Hon. Senator: [*Desk thumping*]

Sen. W. Mark: What is going on? This is a very serious matter and I would like the Minister of Labour to share with us what is going on.

Mr. Vice-President, do you know that in our country today you have a work permit arrangement that allows a company to bring in a stranger, a foreigner, into our country and to work for 28 consecutive days without a work permit? And then

they can apply to get a more permanent work permit without any intervention from the workers and the unions and the companies that are affected. And these are matters I would have liked the Minister of Labour to address, because that cannot happen. Mr. Vice-President, what is happening in our country today with foreign workers coming in here to replace nationals cannot take place in the United States, cannot take place in England, cannot take place in Canada, but we in Trinidad and Tobago are facilitating these foreigners coming here on contract and they are replacing our nationals.

So it is a bit contradictory, it is almost ironic that we are debating a Bill that is going to replace a system that seeks to grant permission, formerly from the Governor, in the current legislation, the President, you must get the expressed permission from the President to go and work in another country that is not within the Commonwealth of nations. That is what we are addressing today, Mr. Vice-President, and we have as I said a very unfortunate situation that is occurring simultaneously in our country and our nation.

So, yes, we understand, you know, what was taking place. We understand why, you know, this is taking place and this has been taking place. But you know, Mr. Vice-President, when you go through the legislation you realize that even though we were under colonial rule and even though you were prohibited in moving without the expressed permission of the President, the reality is that the labourer had a contract that was drawn up and that contract that was drawn up in the legislation that we are about to repeal provide certain conditions that the employer or the agent of the employer must have met, must have satisfied in order for him to get that labourer out of Trinidad and Tobago into another non-Commonwealth jurisdiction.

I remember looking at some literature on this very Bill, this very Act that we

are about to repeal, and some of the countries that the government at that time, the colonial government, prohibited any recruitment of labour going to Liberia, Brazil. I saw Curaçao, what they called the Netherlands West Indies at the time. I saw French Guiana or Guyana at that time because they were not within the Commonwealth. And therefore proclamations were made seeking to ensure that labourers do not go to those countries and if they did go they had to get the expressed permission of the Governor and under an independent Trinidad and Tobago, the President of our country.

So these were some of the challenges that we had to face. And as the Minister of Labour shared with us, Mr. Vice-President, the living and working conditions at the time when this colonial legislation was formulated and promulgated were very, very harsh, very oppressive, very dismal for the people at that time. The literature is revealing that at that material time the population in 1888, 1894, 1900 was just about 270,000 who occupied space in our land called Trinidad and Tobago at that time. And we were developing the oil industry at that material time. The plantations were still in existence at that point in time, because slavery and the slave trade had been abolished in 1834 and formally abolished in 1838. And within that period of 1838 and 1900 when this Ordinance was proclaimed and promulgated the then colonial authorities sought to attract the Portuguese to come in here as labourers to replace the African slaves who had gained their freedom through the abolition of the slave trade. And they went on to see if they could attract the free Africans from Africa and from the Americas to come and work here. At that time, Mr. Vice-President, they also brought the Chinese at that time, but they were no substitute for the Africans as a result of the abolition of the slave trade at that particular point in time.

So you know, Mr. Vice-President, what the colonialists had to do in order to

continue their exploitation and oppression of the people, to extract wealth for their United Kingdom at that time, because they were the colonialists, they went to India and they brought indentured laborers. So the indentured replaced the slaves on the plantation who were allowed their freedom after blood, sweat and tears and major struggles. And as the Minister shared with us many people left here. In fact the literature is showing that between the period 1888 to about 1914, over 200,000 West Indians left the West Indies, including Trinidad and Tobago, to go and work on the railways and to build the Panama Canal at that time; over 200,000 people left. And again it had to do with the fact that people were seeking new opportunities—[*Interruption*]

Sen. Lezama-Lee Sing: Mr. Vice-President, on a point of order please.

Sen. W. Mark:—to improve their quality of life.

Sen. Lezama-Lee Sing: Mr. Vice-President, on a point of order please. I think the Minister of Labour would have gone through a lot of this and I am just wondering the relevance of the present speaker, Standing Order 46(1), the relevance of his contribution to this debate.

Sen. W. Mark: Mr. Vice-President—

Mr. Vice-President: Yes, Sen. Mark, so you are skirting quite wide in relation to responding to what the Minister of Labour would have spoken about in his contribution. So I would ask you to tighten it up and come back in to what we are dealing with here which is the repeal of that Act—

Sen. W. Mark: Mr. Vice-President, I just want to bring to your attention—

Mr. Vice-President: I am responding—one second Sen. Mark, Sen. Mark one second. I am responding specifically to what the Minister of Labour would have indicated in his contribution. Continue.

Sen. W. Mark: I do not know if you remember and I do not know if my friend

who raised that Standing Order, which as I said I am obeying what you have said, but I just want to advise, Mr. Vice-President, the Minister of Labour made reference to the Panama Canal. So I am responding to that matter by just elaborating on the experience that we had and why for instance at the particular time the Bill that is before us, that is seeking to repeal the Act prohibited people from leaving Trinidad and Tobago. And the Minister indicated that the foreign, when you talk about foreign, they were referring to non-Commonwealth countries. You could not leave Trinidad and Tobago unless you were going to a Commonwealth country. So I was just elaborating on what the Minister himself had shared with this honourable Senate. I believe that my colleague is not aware of this historical context and experience that we have been exposed to as a nation.

So, Mr. Vice-President, I will proceed according to your intervention. I want to indicate that given the current situation that we are faced with in Trinidad and Tobago, I think that we need to get legislation to facilitate the migration of citizen with the relevant protections to other lands. Mr. Vice-President, just as in the 1800s and 1900s today Trinidad and Tobago has high levels of unemployment in our land. We have high levels of poverty in our land. We have people crying out for greater opportunities in order to gain and improve their quality of life.

Mr. Vice-President, I do not know if you are aware, but today as we speak there are close to 8,000 UWI graduates—

Mr. Vice-President: Senator you have five more minutes.

Sen. W. Mark:—who are unemployed in our country.

Mr. Vice-President: You have five more minutes.

Sen. W. Mark: Mr. Vice-President, do you know this? As a former graduate of UWI, I am a former graduate of UWI, we have over 8,000 people under this Government who are unemployed and they are skilled. So I really want to appeal

to the Minister of Labour to bring legislation to protect these individuals who may wish to migrate to Canada or migrate to the United States or United Kingdom, but you have to give them some level of protection because the Government of this country has failed to provide the kind of employment opportunities for our citizens. Mr. Vice-President, I “doh” have to tell you what has happened in the last few years in this country with the shutting down of Petrotrin as an example—

Mr. Vice-President: Senator—

Sen. W. Mark:—and so many thousands of workers—

Mr. Vice-President: Sen. Mark—

Sen. W. Mark: [*Crosstalk*]

Mr. Vice-President: Sen. Mark—

Sen. W. Mark: [*Crosstalk*]

Mr. Vice-President: Sen. Mark, so that is what I am talking about in terms of going quite broad in relation to this piece of legislation that is before us. Again confine your comments to either respond to what the Minister of Labour has put forward or just move on to another point.

Sen. W. Mark: Mr. Vice-President, I know I only have about a few minutes again, about three minutes by now. Mr. Vice-President, I would like the Minister in his winding up to explain to this honourable Senate, if I may just summarize as I bring my contribution to a close, I would like the Minister to indicate what exactly is he replacing this piece of legislation, what is the replacement? We are repealing, but what is the replacement for the repeal? I would like the Minister to share with us what is the replacement? And can the Minister share with us the other pieces of colonial relics called statutes that are now burdening our statute books in this country and that are detrimental? In fact, these pieces of legislation are essentially archaic and I hope that the Minister will do something about repealing these pieces

of legislation so that the human rights and fundamental freedoms consistent with the universal declaration of human rights and the covenant on civil and political rights would in fact be given its full manifestation and also flourish at the same time.

Mr. Vice-President, I would like to thank you for the opportunity to really contribute to this piece of legislation that is before us, but I await the Minister providing further clarity on some of the issues that we have raised here on this matter so that we could understand exactly where the Government's policy is going as it concerns the protection of workers who have to migrate to other countries.

And, Mr. Vice-President, in closing, may I ask through you to ask the Minister to let us know what is happening to ILO Convention 143 that deals with migrant workers. We want to know whether the Government is about to ratify Convention 143 and Convention 129 dealing with seafarers. These are very important conventions that will deal with the rights of workers in our country. Mr. Vice-President, I thank for giving me the opportunity.

4.00 p.m.

Sen. Jayanti Lutchmedial: Thank you, Mr. Vice-President, for recognizing me to contribute to this debate on a very short two-clause Bill brought here to repeal the Foreign Labour Contracts Act. Indeed as it has been described, one of the colonial relics that remain on our statute books not really applicable to, or not being used and really out of touch and not applicable to what our modern society views as labour issues. But, Mr. Vice-President, let me just say and I will pick up a little bit on what Sen. Mark spoke about without repeating it, but this is a lost opportunity really to be proactive and bring modern state-of-the-art legislation to deal with labour issues which are inherently linked and arise as a result of migration.

There are many labour issues which currently exist in our country and around the world, and some of those issues have really been exacerbated in recent times by the COVID-19 pandemic. Increasing poverty, job loss, lost opportunities and so on, have really forced a lot of migration, but not just COVID. We have seen, for example, where you have ethnic conflict in various countries. You are seeing mass migration. And once you have mass migration taking place around the world, you are going to have labour issues because, of course, migrants would not just move around to find somewhere to live, but they have to work and they have to earn a living. And, of course, a big part of the problem that migration would pose to any country that is the receiver of migrants, would be the impact on the labour market and how you deal with those situations.

Now, this particular piece of legislation that is being repealed here today did not really treat with migrants coming into the country. It dealt with at the time persons trying to leave the country for greener pastures. But as I said before, simply coming to say well, we do not need that anymore and we are revoking it, we are repealing it, really misses the mark in my view. Because what we really ought to have had if you had—we went to great lengths to have public consultation and so on, on this. It ought to have been addressed in the minds of some of those 119 people who attended that consultation, and that whole list of people who attended and organizations that were represented, that modern legislation to deal with labour issues as it pertains to migrants really is something that we need to have.

So just as the colonial masters, you know, would have looked at labour flight and so on, and there were many mega projects taking place during the period of time that this law was really being used, we too have to look at how the regulation of the labour market and migration can really—you know, how it

impacts upon on us protecting the human rights of our citizens as well as those who may be coming into the country, how you want to treat with issues linked to migration and the labour force such as the proliferation of human trafficking. And that is a phenomenon that we are constantly battling with in this jurisdiction due to the influx of migrants, and you also have to consider things like forced labour, specifically as it relates to the more vulnerable populations, young people, women, and so on.

You have issues as well that are globally recognized such as equality of pay. Are you creating a situation when you have migrant labour coming in or going out, where people are providing an alternative workforce, a cheaper labour force which is exactly what happened in the 1900s. You were looking for the cheapest, most affordable labour to work here and you did not want them to leave because you were able to exploit them—the colonial masters were able to exploit them here. What we do not want to happen now is that you have people here now exploiting another group of migrants, or that our own people seeking greener pastures. Because, of course, we are and I do not think anybody can deny it, we are seeing—we are in you know, difficult economic times and when our citizens choose to leave—of course, we do not want a piece of legislation that says you cannot leave unless the Queen, or the President, or the Governor General, or anybody tells you, you can leave. But you want to have systems in place to understand that they will not be susceptible to hardship, to being you know, ripe prospects for exploitation when they travel to foreign lands simply because the labour market in Trinidad and Tobago, the economy, and the situation that they find themselves in is not the best at the moment.

So whilst the Act is a colonial relic, however, there were protections included in that law and I have to make specific mention, as outdated as they are

and inapplicable as they may be now, section 5(b) of this law that we are repealing, for example, dealt with the ability of a labourer to sue on a breach of his labour contract. Very important. Again outdated, but it is something that we could look to include in a modern piece of legislation. How does a labourer recruited by an international recruiter going to work on an oil rig somewhere in Central America—which we have people doing here. I actually know someone quite well who does that, six-month contracts abroad working on rigs and so on. If his contract is breached in some way, what is the recourse? Can he—you know, who is liable? And this piece of law as outdated as it was in 1900s, had something that is called a surety, and it was basically a mechanism put there to ensure that the labourer who found himself you know, on the bad end of a deal or something like that, of a contract, would have some recourse against someone whether it be the recruiter, the employer, whoever it is.

We have to remember that sometimes our own citizens who may leave this country to go abroad to work, they may not be familiar with the laws, they may not have the funding and so on, to be able to navigate the legal systems in the country in which they go to. Where can they enforce that contract? Would they have any recourse in the courts of Trinidad and Tobago? Would they have recourse in a court abroad? What kind of assistance would be available to them? Those are all questions that you want to consider when you are simply repealing a law that offered some level of protection, albeit not sufficient and again not really modern in its formulation. But you still want to have questions like those answered. The law that we are repealing also went on to specify what should be included in a labour contract when someone was being recruited to go abroad.

Mr. Vice-President: Senator? Sen. Lutchmedial, one second. So I am allowing you to develop the context on which you are going into what we are debating here

today, but I do not want you to go too far into the legislation itself that we are repealing because it starts to take on an act of re-debating that legislation. I understand the points that you are making. Make them succinctly specifically because you end up also repeating what both the Minister of Labour and Sen. Mark has said in the rebuttal to that. Do not go over it too much.

Sen. J. Lutchmedial: Sure.

Mr. Vice-President: If you have new points bring those forward and try not to re-debate the Act that we are repealing too much.

Sen. J. Lutchmedial: Understood. Thank you. So yes, Mr. Vice-President, so I will just quickly say that sections 7 and 8 of the Act we are repealing deals with what the contract should include as well as the explanation of the contract. And why those things are important again, it is because the persons who are most vulnerable and who require protection from a law like this, or a modern version of this law, would really be people who may not understand the terms and conditions that they are going to.

I am sure most of us growing up would have heard the anecdotal stories of indentureship, our foreparents who were promised you know, this land of milk and honey that they were coming too, and when they came here they found out that the contracts were not really—the terms and conditions that they had to work under did not really materialize when they got here. What they met here was something completely different and you know, the ability for repatriation and all of that. And we have heard these thing over and over. We are taught it in history. We do not want history to repeat itself in a modern version of that where persons are entering into labour contracts to go abroad and they do not understand the context, and I will get into some examples of countries that have legislation that deal exactly with these things in a modern way.

So that we agree and I agree that a restriction of movement that is in section 3 of this Act really does not align with the rights and privileges under our republican Constitution, but we cannot ignore those protections and the need to, you know, to highlight the migration issues and the need to institute labour protection. The Minister made reference and I was not aware of the statistic, I had heard of it, but I was not aware that almost 4,500 people had died—of our nationals had died—in the construction of the Panama Canal when this law that we are repealing was in effect. Again, that really does highlight why we should not simply be repealing, but replacing. Because if it was HSE issues and health issues like malaria, I think it was he said, that resulted in 4,500 of our nationals dying abroad, then that in itself is the justification for why this should be a repeal and replace and not simply a repeal of an existing law.

Now, I just want to get a little bit into the issue of why is it so important to have this and it really is found if you look at the statistics worldwide. Of course, we have a little challenge locally in terms of making these arguments in a local context because of the unavailability of statistics. But what applies around the world, certainly we can extrapolate from it and know how pertinent it would be here. The International Labour Organization estimates that about 169 million migrant workers exist around the world and that constitutes almost 5 per cent of the labour force. So migrant labour, people who leave their home country and go abroad to work or are forced to migrate because of war, famine, poverty, whatever it is, or just simply seeking better opportunities, that is about 5 per cent of the global workforce.

I found a 2021 document from the International Labour Organization called “Global Estimates on International and Migrant Workers”, and interestingly what I found in that report and they mentioned, is that there is an increased percentage,

whereas the majority of migrant labour is between the 25 to 69, what they call the normal adult population. The size of that grouping of younger persons below the age of 25 is actually increasing. So what you are seeing now is a trend where more young people are also joining that what we call the migrant labour workforce. Again, to me this underscores the need for—

Sen. Sagrarsingh-Sooklal: Mr. Vice-President, I rise on a point of order, 46(1). While we appreciate the Senator placing this in a historical context, you know I would—I am sure this Senate would prefer if she stays within the parameters of the Bill.

Mr. Vice-President: So Sen. Lutchmedial, again, I am trying to find where you are going in relation to what you are saying—

Sen. J. Lutchmedial: Can I explain?

Mr. Vice-President: Say again?

Sen. J. Lutchmedial: Can I explain? Well, it is not historical. It is actually this year, 2021 data that I am referring to. And where I am going with it, is I am going with why bring a two-clause Bill to repeal an existing law and not replace it in the context of the importance of having modern legislation to govern migrant labour. That is the point.

Mr. Vice-President: Okay. So I understand that point. Now, understand what I am saying in the sense that repeal and replace is a point that has been brought up, one, by the speaker before you, and that is why I am indicating too that if you have new points bring them forward specifically, because what you are doing is you are coming with data to make a point that has already been made before. So if you are going along the lines of repeal and replace again, there is no need to come with all of the data, and all of the information that you have because that point has been made and you will run afoul of the Standing Order in relation to tedious repetition.

If you have new points, bring them forward now. Continue.

Sen. J. Lutchmedial: Well, Mr. Vice-President, I know we are not very data-driven in our approach and which is probably why we are repealing and not replacing. I would just want to say that with respect to the protection of human rights there are several ILO conventions which the United Nations has called upon since the year 2013 when there was international high level dialogue on international migration and development. They have called upon all countries to implement the relevant ILO Conventions which would deal with migrant labour. The—

Sen. Mitchell: Mr. Vice-President, please, 46(1) please. The Bill is being repealed because it is now irrelevant and the Member is now being irrelevant.

Sen. J. Lutchmedial: Well, Mr. Vice-President—

Sen. Mitchell: It is irrelevant.

Sen. J. Lutchmedial:—the Bill—I am trying to make the point that the Bill is not irrelevant, and it is not irrelevant to repeal a piece of legislation and not have something in—and why it is necessary to have legislation like this.

Mr. Vice-President: Sen. Lutchmedial, this particular piece of legislation is a tricky one. It is two clauses and it is a repeal. The Minister of Labour in his presentation would have given reasons as to why this piece of legislation seeks to repeal. Sen. Mark in his contribution would have responded to those reasons put forward by the Minister of Labour. The problem that you are encountering is that you are using other pieces of information to repeat what Sen. Mark would have indicated, and that is where you are going to run afoul of not just relevance but tedious repetition. So that is why I am indicating again for the last time if you have new points outside of which you need to replace instead of just repeal, I invite you to do so now otherwise you are going to continue to run afoul of the Standing

Orders.

Sen. J. Lutchmedial: I understand everyone is not very comfortable with academia, but let us just get on with it then. Legal migration, Mr. Vice-President, and legal channels that are regulated properly for migration could actually affect labour market needs and they should reflect the labour market needs. What we are—

Mr. Vice-President: Sen. Lutchmedial, either that I am not being clear, so—

Sen. J. Lutchmedial: I am moving—

Mr. Vice-President:—we are not talking about labour market needs, and we are not talking about repeal and replace again. Do you have new points to bring forward in relation to anything that the Minister of Labour has said outside of what has already been responded to by Sen. Mark? If you have new points bring it forward now so that you can continue in your contribution. If not, then you are going to run afoul of the Standing Orders. It is a very tight, tight piece of legislation.

Sen. J. Lutchmedial: Mr. Vice-President, can I go through some examples then of countries that have legislation that deal with these issues?

Mr. Vice-President: Deal with—that is the thing, Sen. Lutchmedial. There is no need to go through examples of countries that deal with that. Sen. Mark dealt with it in terms of the need to replace it with something else. You cannot go through that in terms of examples of countries that have legislation that may have or may not have replaced this piece of legislation that we are trying to repeal, and that is why I am indicating to you, you need a new point. If you have a new point by all means you may continue; if not, well, then you have to decide how it is that you are going couch this or bring this across so that at least it bring something new to the debate.

Sen. J. Lutchmedial: Well, Mr. Vice-President, I would simply say that it is a complete and utter waste of parliamentary time to repeal a piece of legislation and not propose something new to deal with serious issues that affect this Government. But clearly the Government is not interested in hearing about proposals for a modern piece of legislation that deals with labour issues in this country. They are quite content to know that migrants given the extenuating financial circumstances they find themselves due to the mismanagement of the economy by the Government, might be fleeing our shores to seek opportunities abroad and would have absolutely no protection under the Laws of Trinidad and Tobago. Thank you.

Hon. Members: [*Desk thumping*]

Mr. Vice-President: Sen. Deyalsingh.

Sen. Dr. Varma Deyalsingh: Thank you, Mr. Vice-President, for allowing me to partake in this—

Mr. Vice-President: Can you please use the booth?

Sen. Dr. V. Deyalsingh: Okay. Sure. I thank you, Mr. Vice-President, for allowing me to partake in this debate this afternoon, and I want to thank the Minister of Labour for bringing this piece of legislation here, the Foreign Labour Contracts (Repeal) Bill, 2021. Mr. Vice-President, the Article 13 of the Universal Declaration of Human Rights states that:

“1. Everyone has the right to freedom of movement and residence within the borders of each State.”

And it also states that:

“2. Everyone has a right to leave any country, including his own, and to return to his country.”

So therefore, if we are to look at this declaration of human rights, this piece of legislation, this old legislation that we had there, certainly would have restricted

the movements of our citizens to move outside of the country, and we got a good history from the Minister of Labour in terms of why it was necessary for the labour moving out. And also we heard the ill-effects of some of our citizens who faced the burdens of disease, malaria, et cetera, in the Panama Canal and probably other countries too. So this Bill here, repeal of this Bill serves to really allow this movement. So we cannot really be expected in this day and age with the global movement that we would want to restrict any sort of our citizens from moving, to be shackled by an old sort of colonial legislation which probably at the time it would have served its purpose.

So again I thank the Minister for bringing this, and I want to say that you know, the description of the—when we looked at the description given about the dismal working conditions and some people looked at that working conditions, the working conditions that existed and the need to leave, you know sometimes we have working conditions in Trinidad which might still in certain aspects, in certain communities that might still leave people wanting to leave, and I am thinking that you know, section 3 shows the need to leave to go abroad and the fact that people would have wanted to go abroad there is still that need here. And there are still poor working conditions, Mr. Vice-President, that I must just make mention of one quickly, that if I look at even the labour force, when I look at the CEPEP workers, Mr. Vice-President, they are doing an excellent job. See them working in my community and they have no potable water in times of COVID or a portable toilet in some sort of truck that they can carry, I looked at them, I say, “Hey, if I were in that position, I would want to go to a place offering better working conditions”.

So we have to look within our system how we could also improve our labour force, our workers, to give them that benefit of such a peace when they are working in terms of any sort of lack of hygiene or mentioned. So when I look also

at the fact that in terms of the freedom of movement we saw in the European Union that also came about that a need for that freedom of movement. Just as how we are now freeing up our citizens, the European commission when that came about they actually said the persons within the European Union could have that freedom of movement. And again, freeing ourselves of this Bill also reminds me of the free movement of workers which was a fundamental principle in the treaty enshrined in Article 45 of the Treaty of the functioning of the European Union, and it was developed by the European Union as a secondary legislation and also by case law.

So therefore, the need to look for a job in another country, the fact that you could work there without work permits, the fact that you could reside there for that purpose, stay there even after the employment has finished. And the Minister did mention the Caricom workforce that we have now, that freedom of movement, this is something commendable that we can also look forward for this. But I also would be hoping, just as how the European nationals could now stay in the country of work, we may have to develop that within our Caricom community also that we could go and work in Barbados and other countries and stay there.

So we are now, in my opinion, having this repeal shows that we are looking at the global situation. You are seeing what is happening in Europe, you are seeing what happened in the international conventions, but I must make mention that you know, we in Trinidad, we have looked at the labour force and we do have business persons, other persons complaining. They are struggling to get Trinidad workers in their labour force and some of them are even hiring the migrant Venezuelan personnel. So this is a fact be it the salaries are less, be it they get—greater work ethic, whatever. So even if we have—when we have this Bill repealed and we have more freedom of movement, I am just wondering would we now be faced with a

situation where our own persons here would be now having a poverty of people in the labour market? So we have to get better—we have to realize one of the fallouts of this repeal would be a further migration of our workers and, as a result, greater level of despair among persons who want to hire local persons.

The Venezuelan workers, Sir, doing a good job, but the European Union, I must mention the fact that they also said that the workers must enjoy equal treatment with nationals in access to employment, working conditions, and all other social and tax advantages. And why I make mention here because Sen. Wade Mark did mention that the protection of our workers outside is also important. Sir, I had also brought up this similar situation when some members—I think it was 103 members—were actually trapped in Canada, Ontario, during the COVID-19 period when the work had stopped, and those workers, they could not return to Trinidad because of the lack of getting PCR testing and whatnot.

So whilst Sen. Mark made that concern and it is a valid concern—we have people out there sometimes—I had made a suggestion that—and I am making the suggestion now because it was raised—that our embassies could play a more important role. Any of our workers go out there, we can track them. We have the technology where we can track our workers. They can actually be in contact with the nearest embassy, and if there is any sort of failure or any sort concerns, we have our people out there who will be able to look at the welfare of the workers.

So this is not a problem that is unsurmountable. So there may be laws within the countries to protect workers, even foreign workers, but there may be also our own embassies out there who will be able to play a greater role in protecting our workers. So this is something I am thinking that we may have to get our Minister of Foreign and Caricom Affairs to get that on board. So anyone going there—I had a patient, Sir, who went to Japan to work and that patient actually—

Mr. Vice-President: Okay. So Senator, you have made that point and I have allowed you to sort of give a solution—

Sen. Dr. V. Deyalsingh: Okay.

Mr. Vice-President:—to some of what has been raised. There is no need to go further.

Sen. Dr. V. Deyalsingh: Sure. Thank you. Thank you, Sir. So what I also wanted to mention, Sen. Wade Mark had mentioned that the fact that the University of the West Indies would have had persons on board who would also be wanting to go out of the West Indian environment, and I am saying I have to make mention that we are doing an excellent job in terms of our education. I mean it was really the dream I think of our first Prime Minister to have an educated public, and I happy to say our UWI graduates, we are among the top universities in the world. We are among the—the updated ranking is 2.5 per cent in the universities.

So what I am saying is we also have to give knowledge to the fact that our university graduates may also want access to go outside, freedom of movement. We also have to bring in to the fact that we have a lot of scholarship winners who are still looking for jobs, we may now be able to say well, we have this freedom of movement that we got. So when I am thinking that, okay, people want this freedom of movement, we think that it is a basic right, but we have to understand we are still under the fact that you know the vaccine passports, the COVID vaccine passports are there. So it is not really a free movement that we may think we still have to have that movement within other laws.

Sir, I also support this piece of legislation. Not because it is just outdated and I am seeing we are helping persons, but the fact is it could serve as a source where people can go abroad and earn foreign currency because we have been seeing lot of complaints of forex, people not getting foreign currency. So again,

this is an avenue where we can now get our labour force out there, be it in the Guyanese market, wherever, that we can have the idea that people could bring back that money, send that money to their relatives once they are working out there—the foreign currency. So again that is a great advantage. So I welcome this move. And like Sen. Mark, I would rather get some idea about the 119 persons who were consulted.

You know it is easy, Sir, to have a consultation and you say well, we consulted with 119 persons. So things like this, Government should actually give us the dissenting voices. So we might have been able to judge better well, you know, probably the unions disagreed with a certain factor about it. So I am thinking in future when we have pieces of legislation like this and Government has consulted, to leave that out, give it to the public to be able to have a discernment. Is it something we are missing? Because we could be missing a valid value concern as somebody could have brought up.

I also want to make mention that the fact is when we are looking at the—made mention that the labour force. You know I think Sen. Lutchmedial made mention about the indentured labour force came in here. Yes, our forefathers did migrate here. We came here for a better promise, and again I think because of that we should be willing to support any piece of legislation who could give any Trinidadian the opportunity to go elsewhere, make themselves in a better condition to support their families and sometimes support their country. I thank you, Mr. Vice-President.

4.30 p.m.

The Minister of Labour (Hon. Stephen Mc Clashie): Thank you, Mr. Vice-President. This repeal of the Act today is really a simple exercise and I am surprised it was complicated so much. There seems to be a misinterpretation of

what we are doing here today. The Act generally restricts movement from people leaving the twin-island state of Trinidad and Tobago, and I heard talk about replacing it. So do we replace an archaic law with a draconian law? What do we really want to?

But, Mr. Vice-President, let me just put on the record a couple of things that came out. There was a lot of good talk but not relevant talk.

Hon. Senators: [*Desk thumping*]

Hon. S. Mc Clashie: I would like to put on record that yes, FITUN and—no, JTUM and NATUC was in fact in relation to Sen. Wade Mark's query, whether the unions were involved. Yes, they were involved and yes, they agreed to repeal the Act.

I heard the concern of the Opposition and the Senators about what do we replace this with. And I just want to say that there are a number of legislative items that would be coming in short order with regard to the recruitment of workers Act, the Trafficking in Persons Act, the workers and employment standards Act and the Workmen's Compensation Act.

Hon. Senators: [*Desk thumping*]

Hon. S. Mc Clashie: These Acts in and of themselves really reach into many of the areas that persons wanted to bring up in regard to what is happening in the world today, where how do we in fact deal with issues coming out of the International Labour Organization, the different treaties and so on, and all of that, Mr. Vice-President, will be done in due course. But today, what we are tasked with is repealing a piece of archaic legislation that limits the outward movement of people from Trinidad and Tobago. And therefore, the other issues that have been highlighted are not necessarily relevant at this time.

So, Mr. Vice-President, I do not think I have a lot to answer based on

relevance except to give some comfort that we are looking at legislation that will cover all those areas and with that, I want to thank you for giving me the opportunity to respond and I beg to move.

Hon. Senators: [*Desk thumping*]

Mr. Vice-President: Hon. Senators, the question is—

Hon. Senators: [*Crosstalk*]

Mr. Vice-President: Sen. Lyder, are you done?

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole Senate.

Senate in committee.

Mr. Chairman: Hon. Senators, this particular piece of legislation has two clauses to it and as far as I am aware, no amendments have been circulated prior. We shall now go through the Bill clause by clause.

Clause 1 ordered to stand part of the Bill.

Clause 2 ordered to stand part of the Bill.

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

Senate resumed.

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

Mr. Vice-President: Hon. Senators, at this juncture, I think it is a good time to take a small break, so this Senate will now stand suspended for 10 minutes.

4.39 p.m.: *Sitting suspended.*

4.50 p.m.: *Sitting resumed.*

Mr. Vice-President: Acting Attorney General.

**THE MISCELLANEOUS PROVISIONS (2019 NOVEL
CORONAVIRUS [2019-nCoV] VACCINATION PERSONNEL) BILL, 2021**

The Minister of Energy and Energy Industries, Minister in the Office of the Prime Minister and Acting Attorney General and Minister of Legal Affairs

(Hon. Stuart Young): Thank you very much, Mr. Vice-President. I beg to move:

That a Bill to amend the Emergency Ambulance Services and Emergency Medical Personnel Act, Chap. 29:02, the Pharmacy Board Act, Chap. 29:52, the Nursing Personnel Act, Chap. 29:53, the Dental Profession Act, Chap. 29:54, the Veterinary Surgeons (Registration) Act, Chap. 67:04, the Professions Related to Medicine Act, Chap. 90:04 to authorise additional personnel to administer 2019 Novel Coronavirus (2019-nCoV) vaccines under the direction and supervision of medical practitioners be now read a second time.

Mr. Vice-President, as usual, it is indeed a pleasure to be here in the Senate today contributing and in fact piloting this simple but a very important Bill which has the simple purpose of allowing additional personnel to administer vaccines in the current pandemic that is COVID-19. There was one additional amendment to these provisions put in at the House—the original Bill to the House last week Friday where we added it to other vaccines “as the Minister may by Order prescribe”.

And if I may, Mr. Vice-President? Mr. Vice-President, Members of the Senate, I sincerely doubt that anyone in this Senate thought in 2019—if you can cast your minds back to 2019—that the world would have to deal with a pandemic in the manner that we have been since early 2020.

In December 2019, COVID-19 began to spread through the human population. In March 2020, Trinidad and Tobago confirmed its first case of COVID-19. If I recall correctly, it was around March 12th of 2020. I remember that day being with the Minister of Health at a post-Cabinet press conference talking about it is only a matter of time before this virus reaches our shores; telling

persons, you know, we are taking a position only travel if absolutely necessary and for essential purposes and medical purposes, and literally after leaving post-Cabinet press conference, a few moments after contacted by the medical health personnel who have been serving us so well to be told it has happened. The first case had arrived on our shores. It was a traveller, a passenger coming back from Europe who had arrived on our shores, had the symptoms. We tested him, meaning the health personnel, and he had registered the first positive case, 12th of March, 2020. The global pandemic, Mr. Vice-President, continues. This virus has in a very short period of time negatively affected the globe, the whole globe and the human inhabitants of this globe.

As of yesterday, the 15th of November, 2021, in Trinidad and Tobago, Mr. Vice-President, we had tested 423,692 persons. In fact, I would harbour a guess that some of us in this very Chamber have had to undergo PCR tests since March of last year for one reason or another. I myself have had about four or five of those tests. We have had total positive cases of 62—this is at yesterday, I am sure these figures will go up today. As of yesterday, we had 62,670 positive cases in Trinidad and Tobago and unfortunately, the total number of persons in Trinidad and Tobago, Mr. Vice-President, who lost their lives associated to COVID-19, as of yesterday, was 1,870 souls. I would like to use this opportunity at this moment to pause and just to offer our sincerest condolences and sympathy to the families of all those 1,870 persons. In fact, we ourselves—I would be sure to hazard a guess, many of us may have had persons close to us in one form or another who succumbed to this awful virus, COVID-19, and the pandemic.

Globally, Mr. Vice-President, just to put things in context, as of yesterday, over 254 million people; over 254 million people were confirmed with COVID-19 and 5,110,000 people—deaths associated with COVID-19 as of yesterday's date.

This is a virus that began making its way across the globe in December 2019 so it is less. We are going on to now two years old as a virus and I think people are beginning to become numb, people are beginning to forget that we continue to be in a pandemic and what that means. There can be no doubt as to the seriousness of this potentially deadly virus that is COVID-19.

Trinidad and Tobago, intelligently, in my respectful opinion, from day one, took a decision that in its management of COVID-19, we would follow the WHO decisions, protocols and guidance, WHO, of course, being the World Health Organization. There are a number of reasons for this and why it just makes complete sense.

First of all, as a small island, a small state that we are, to have the benefit of tacking onto all of the expertise, the experience, the scientific data, the analysis, that body that WHO brings is invaluable. And I, as a citizen, have learnt that from day one as we began to deal with this pandemic, just by having the benefit of being a member of the WHO and taking that decision as a Government to follow religiously the WHO guidance, the WHO protocols, it has served us here in Trinidad and Tobago well all of the time. Quite simply, we do not have the availability of the scientific data, the availability of the scientists, the availability of those doctors with the expertise dealing with this virus and the offsprings of this virus that the WHO has, and that has been the guiding beacon for the Government of Trinidad and Tobago and the people of Trinidad and Tobago from day one.

Mr. Vice-President, the benefits, as I said, are multifaceted. It is scientifically accepted at this stage that the best current response to COVID-19 is via vaccination. There is no scientific evidence to suggest otherwise. This is what our medical public health experts tell us, this is the WHO guidance. We see the countries that we were the first to have the availability of the vaccine and the

benefits that that brought as they began to vaccinate their population. Fortunately, Trinidad and Tobago has been able to acquire sufficient WHO-approved COVID-19 vaccines for every single eligible person in Trinidad and Tobago, and let me repeat that.

Hon. Senators: *[Desk thumping]*

Hon. S. Young: The Government of Trinidad and Tobago has been able to acquire WHO-approved vaccines and we now have a variety of vaccines for every eligible person who can receive a vaccine in Trinidad and Tobago. This has not been an easy journey. I just saw the Minister of Foreign and Caricom Affairs return to the Chamber. He was a key figure and a key component in us being able to achieve this under the leadership of the hon. Prime Minister Dr. Rowley.

I recall in January of this year when Dr. Rowley took the Chair of Caricom and he began that unenviable task of absolute leadership, not only for Trinidad and Tobago but for the Caricom region in acquiring vaccines.

Hon. Senators: *[Desk thumping]*

Hon. S. Young: This morning at a GECF Ministerial Meeting, I used the opportunity, again in a global energy setting, to remind our colleagues all over the world of the difficulties initially us developing countries had in acquiring these vaccines. So went through that process. The country was uneasy, the country was screaming, they were rightfully asking for the acquisition of these vaccines. Fortunately, through a number of measures, we began to have vaccines arrive in Trinidad and Tobago, the WHO-approved vaccines, and began applying them from April of this year.

I remember the many late night calls, the conversations, the huddles, the meetings that took place. The Minister of Health, the Minister of Foreign and Caricom Affairs supporting the Prime Minister. Our medical health personnel

giving us the advice. I having to do some of the conversations on behalf of Trinidad and Tobago. And that leadership that should be applauded today—

Hon. Senators: [*Desk thumping*]

Hon. S. Young: —for being able to acquire in a short time; in a short time, WHO-approved vaccines for our whole population that can get it and the vaccines began to arrive. By the end of April, going into May, we could see a horizon until June, we knew that there would be a small potential drop-off. At the time, the conversation that was taking place in our population was: Why do we not have vaccines? Well, we have acquired the vaccines. The next conversation began: Why do you not have mass vaccination? Why do you not have drive-through vaccination sites, et cetera? Those are all well and good but you had to have the vaccines in hand to be able to deploy those. And we can now say in the month of November 2021, that the Government, through the medical department, the Ministry of Health and its personnel have been able to do all of those things with our vaccination drive in Trinidad and Tobago.

Hon. Senators: [*Desk thumping*]

Hon. S. Young: And I want to use this opportunity—as a citizen of Trinidad and Tobago, Mr. Vice-President, I use this opportunity to sincerely thank all of the medical personnel, our doctors, our nurses, the lab assistants, all of them—

Hon. Senators: [*Desk thumping*]

Hon. S. Young: —for the yeoman's duty and service they have done before the arrival of the first positive case of COVID-19 in Trinidad and Tobago.

Again, I was privileged enough to be asked to be part of the committee leading the charge, making the decisions, advising the Government and seeing first-hand, working along with these medical health personnel—and it has bothered me; it has bothered me as a citizen of Trinidad and Tobago to see the unfair attacks

on these public health officers; the unfair attacks—I want it to be put on the *Hansard* record—the unfair public attacks for the past few months on these medical doctors. Every week, I have to meet with them. Every day, they provide me and other Cabinet Ministers with reports as to what our situations are. I have seen the dedication of these medical health personnel. I have seen when the nurses are tired and they do not look after themselves, they just get back into it. I do not know if the population understands that when you have to care for the person suffering—the person suffering the worst from COVID-19, how much effort takes place. Maybe some of us would have seen the international news reports where they allow the cameras into these settings to see persons being put on ventilators, to see them having to be turned. And the solution to all of this, the scientifically proven solution at this stage in the fight against COVID-19 is the approved WHO vaccines and the vaccines are only as good as when they go into a person's body and that is what in a nutshell this Bill is about.

As we began to roll out, we could not pull our medical personnel who were there busy. Because it is not only the parallel health care system where you have dedicated medical personnel, the nurses, the assistants, the doctors who have to provide that care on the wards of the parallel health care system, in the ICU unit which requires a huge amount of medical personnel and then in the high dependency units, but we are also running our normal medical health care system and persons have throughout this whole pandemic in Trinidad and Tobago been able—you get into a car accident, God forbid, you have a heart attack, a stroke, something else, they have all been able to go to the health care centres and the hospitals to get the medical care and attention for the normal, outside of the pandemic, ailments and emergencies.

So again, it is important that we as citizens and we as the Members who

have been given the privilege to serve Trinidad and Tobago in this House, in this Senate, thank, sincerely thank all of those who have contributed to both our health care system, the normal one and the parallel health care system—

Hon. Senators: [*Desk thumping*]

Hon. S. Young: —and I sincerely thank them today.

So what we discovered is as we began to roll out our vaccination programme, really from about April, May, June of this year and as the number of available vaccines became available and now we have crossed over 600,000 persons being fully vaccinated, you require people to administer the vaccines and you require people who have the skills and the wherewithal to deliver these vaccines. Of course, the legislation at the time only allowed certain persons to deliver the vaccines. So what we did under the state of emergency regulations, which came into play in May of this year, is we broadened—at the request of the medical health department, that is the Ministry of Health—we broadened the availability of persons who could deliver these vaccines and that is what we are about here today.

Because as we know tomorrow, we will go to House, we will revoke the state of emergency and by revoking the state of emergency, so go the state of emergency regulations. So we are taking the opportunity now at this stage to put into the parent pieces of various legislation the ability for certain persons who are trained in medical care and attention to be able to deliver vaccines, not only in this current instance of delivering COVID-19 vaccines but also any other vaccine as the Minister may by Order prescribe. Because one thing we should have learnt from this pandemic is that you never know what is coming around the corner. We do not know when next we will need to have a mass vaccination drive and let us not let the legislation hold us back, so we are taking in front now using the

opportunity.

And this Bill before us here today, Mr. Vice-President, is going to be by clause 2 to allow emergency ambulance personnel, medical technicians, paramedics, as we call them, to be able to deliver the COVID-19 vaccine and or such other vaccines as the Minister, which is the Minister of Health, may by Order prescribe. That is the first category of persons that we are dealing with today. Our paramedics under the Emergency Ambulance Services and Emergency Medical Personnel Act or emergency medical technicians. We are giving them that ability, once the Minister orders, that they can administer in the first instance the COVID-19 vaccine.

We are then under the Pharmacy Board Act, this is clause 3, we are allowing pharmacists acting under the direction or supervision of a medical practitioner to administer the COVID-19 vaccine, or as we are saying, any other vaccine as the Minister may by Order prescribe.

One of my colleagues from the Independent Bench asked me: Does this legislation allow persons now to administer vaccines anywhere and what if they have an adverse reaction, the person who is receiving, the recipient of the vaccine—so, for example, in a pharmacy—are we going to have the requisite medical care and attention for them? The parent legislation does not deal with that. Those are administrative decisions. The parent legislation is to make it legal for these specifically expressly identified categories of persons that I am going through to have the power in law to administer the vaccine, however, under the direction or supervision of a medical practitioner. As we have seen throughout the administration of over 600—I think we have crossed over a million jabs in arms, vaccines in arms, to cross that 600,000 fully vaccinated persons, we have seen that we have set up in all of these areas, administratively, the requisite observation and

then necessary first treatment areas, so that would not fall into the parent legislation.

The next category of people we are capturing are nursing personnel. The Nursing Personnel Act, we are amending it, to allow nursing personnel again acting under the direction or supervision of a medical practitioner to administer this coronavirus vaccine, this COVID-19 vaccine or such other vaccine as the Minister may prescribe.

The next category that we are dealing with under clause 5 is the Dental Profession Act, so we are allowing those who are registered to practice dentistry acting under the direction or supervision of a medical practitioner to administer the vaccine.

We are also at clause 6 allowing veterinary surgeons, under Veterinary Surgeons (Registration) Act, to administer these vaccines. And the last category of persons that we are dealing with at clause 7 is Professions Related to Medicine Act and we are specifically identifying, by amending that Act, medical laboratory technician or radiographer.

5.10 p.m.

We saw the need for all of these additional categories, Mr. Vice President, during the heart of our vaccination programme and when we had thousands of people being vaccinated a day. It would be remiss of me, at this stage, not to use the opportunity, through this honourable Senate and all of the Members here, to make a personal plea once again. To those who are eligible for vaccines, please, please utilize the opportunity to have administered to your good self, the WHO-approved vaccines that we have managed to procure for you. Because at this stage the science shows that it is very possible that it will save your life. In fact, when you look at those who are in our ICU wards and our ICU beds, it is 94 per cent of

them that are unvaccinated. This now sounds like a record and a stuck record, but it is the God honest truth. So the plea is, all of the persons who are yet to be vaccinated, who are eligible to be vaccinated, please use the opportunity to have those vaccines administered to your good self, because the benefits are undeniable and scientifically proven.

And in a nutshell, Mr. Vice-President, that is what this Bill is here about, this Bill here today is about, and I ask that all Members of the Senate give it due consideration and support this. Because we do not know what will happen next, and what it does now is it amends the parent legislation of those six categories of persons—seven categories of persons to allow them the legal ability to administer vaccines now for COVID-19 and in the future, as the Minister may order. Thank you, Mr. Vice-President.

Hon. Senators: [*Desk thumping*]

Mr. Vice-President: The magic words, Minister.

Hon. S. Young: I beg to move.

Question proposed.

Sen. Dr. Tim Gopeesingh: Thank you very much, Mr. Vice-President. I consider it a privilege to be able to be here this afternoon in this distinguished Chamber and to respond to the hon. Attorney General on this important piece of legislation, the Miscellaneous Provisions (2019 Novel Coronavirus (2019CoV) Vaccination Personnel) Bill, 2021. And this Bill seeks to amend, as you said just a while ago, Mr. Vice President, the emergency ambulance services and emergency medical personnel, which is Chap. 29:02, to amend the Pharmacy Board Act, Chap. 29:52, the Nursing Personnel Act, Chap. 67:04, the Dental Profession Act, Chap. 29:54, the Veterinary Surgeons Registration Act, Chap. 67:04, the Professions Related to Medicine Act, Chap. 90:04, to authorise additional personnel—that is the

important aspect—to administer the 2019 Novel Coronavirus vaccines under the direction or supervision of medical practitioners.

So on that, the important thing is you are seeking to authorize additional personnel by this Bill by amending a number of pieces of legislation, about seven, to help to provide more personnel for, of course, an important function, which is to enable and facilitate mass vaccination programmes throughout Trinidad and Tobago, so we can move swiftly to herd immunity, which is now considered not to be 70 or 75 per cent, but to be about 80 per cent. And then we still have to deal with this issue that some vaccinated people, even with two vaccines, having some difficulty, which is about 5 per cent of those who had two vaccines. Now we support this issue of having additional personnel definitely, because we support the whole question of ensuring that this country, we reduce the amount of citizens who develop major complications, end up in ICU and pass away, unfortunately.

My understanding, Mr. Vice-President, these amendments are in anticipation of the expiration of the period of emergency. And I heard the hon. Attorney General—acting Attorney General—say tomorrow. Presently, the Emergency Powers (2019) Regulations and Emergency Powers (Coronavirus) (Amdt.) Regulations made provisions for medical and other medical-related personnel to administer vaccines over the last few months, and these powers were granted under emergency power regulations and, therefore, would only last for the remaining period of today and possibly tomorrow.

Now, let us examine the question of the necessity for additional personnel. I do not think the hon. Attorney General would have been able to put together the information on how many personnel we really need in the country to administer mass vaccination programmes. I think this is one area that, in bringing this Bill, the Government should have been able to provide some degree of empirical data to

make a case, obviously for your additional personnel. And so it would show much more meaningful aspects towards the legislation which you are proposing.

We know that there are 105 health centres in Trinidad and Tobago and if you have to have a direction or supervision of medical practitioners, it means then that we may have to have medical practitioners for these 105 health centres on a daily basis. So, if you are having nursing personnel giving vaccines you must have a medical practitioner. Now, does that mean the medical practitioner, or when they speak about supervision or direction, what does that mean? Does it mean the supervision is from outside and the direction? What do you mean by direction? That is ambiguous. It is vague and that needs some clarification. You cannot come and say it is direction or supervision. Does it mean that the medical practitioner must be on site? And I will want to expand on that a little more, later on.

But who is a medical practitioner, Mr. Vice-President? Under the Medical Board Act, a medical practitioner is defined as a medical doctor who is registered under the medical register. Now, when you are an intern, you get temporary registration. And after temporary registration you go to full registration. So a doctor—we have about three medical practitioners here in the Parliament and they will obviously understand what it is I am bringing out. A medical practitioner to supervise can be one who just finished internship, with little or no experience in the world of work in medicine. So just one—you have your five years training, one year internship and then you come out and you register under the registration of the Medical Board now. Now, is that enough experience to supervise areas across Trinidad and Tobago, where a medical practitioner, just finishing internship, has to supervise all of this? I want to proffer that you put a time frame for the experience of the medical practitioner into consideration on this matter. I believe a doctor practising for two to three years will be an adequate person with enough clinical

experience to deal with the supervision of all these personnel throughout the country.

So, I want to ask the hon. Attorney General to consider making an amendment to the question of under the direction and supervision of medical practitioners with a certain amount of clinical experience, whether two years or three years, or five years' experience.

The other issues, Mr. Vice-President, I was making the point about how much additional personnel we need. We have drive-in sites with a number of centres. We have fixed sites like UTT, NAPA, SAPA, the stadium, Queen's Park Savannah, and then there are multiple sites in those areas. You might have 15 cubicles in one area, and so on, 30. But they would have the information of how many they used in the past. And that information, I hope when the person next responds to me, they will probably be able to give some information on these amounts of personnel in these areas that they have been using. And are the personnel working on a shift system? They start at eight in the morning, nine in the morning. They go to five, six o'clock in the evening. That is probably nine hours sometimes. Do they change personnel after a certain amount of period of time? Now this is mental work where you have to be on your Ps and Qs at all times.

So how much personnel needed at each time is critically important and the categories of personnel required in those sites. So, therefore, the total needed on a daily basis. Then the other question: Has the Government indicated whether these personnel are being paid or they are volunteers? Now, if—and how much they are really being paid? That has not been forthcoming. I know there are a number of private organization which said that they were doing volunteer work. They might have paid the personnel and these are large corporations, and so on. But is the Government paying them? I understand that the Government employed a number

of people. They were promised about 500 a day or so, and I think they fell short of their promise and they began to pay about 300 per person who was involved in this. I stand corrected, they should tell the country what is really happening.

Now, if you have to pay for personnel, I believe that you should pay for a significant amount of medical personnel to be on the site as well, because they are critically important and will alleviate the fears/anxieties of a lot of people, which are now very evident, which will be answered when they know that these sites have personnel to deal with, God forbid, any emergency matters.

So, Mr. Vice-President, Chap. 29:02, the Emergency Ambulance Services and Emergency Medical Personnel Act is amended.

“For the purposes of this section...‘Novel Coronavirus...means a COVID-19 vaccine approved by the Minister with responsibility for health on the recommendation of the Drug Advisory Committee in accordance with paragraph 7, Division 3 of the Second Schedule of the Food and Drugs Regulations.’”

I had been a Chairman of a Regional Health Authority in '97 to '99, and then for two Regional Health Authorities in '99 to 2000 and we had Central Drug Advisory Committee and a Drug Advisory Committee. I would have felt happier if the Minister of Health would have told us how functional that Drug Advisory Committee is; what is the composition of the Drug Advisory Committee, because they have to make decisions on a number of things related to the pharmaceuticals that are being used for the management. So I would look for a response as far as the Drug Advisory Committee is concerned. Probably you can get some information for that. My colleague on the other side, the Minister of Foreign and Caricom Affairs, would have quite a lot of information on that. So, we want to know how is that functioning to give some support and advice.

Then the Pharmacy Board Act. The Pharmacy Board, well we want pharmacists to be able to give vaccines. Where are they going to give the vaccines? Is it on the sites where the vaccinations will be given? Or, are they going to start giving vaccines in pharmacies? Because this is ambiguous, as far as that is concerned. In other words, the Bill says pharmacists can give the vaccine. We are seeking to get permission for the pharmacists to give the vaccine. So the issue on the pharmacy and the pharmacist has to be answered. I will speak about the training and requirements, and so on in a while.

Now, the other area is, the other Bill, the Medical Personnel Act, Chap. 29:02:

“to authorize Emergency Medical Technicians --Paramedic registered”

Now, we know the emergency medical technicians in Trinidad, basically from a company that is running the emergency system, whether it is 40 ambulances or 49. How well trained are they? Are they basic trained? Are they intermediate or are they advanced trained, and whether they are paramedics registered under this? They have to be registered, but my understanding, and I am sure my colleagues will tell you, that the level of training of the paramedics in Trinidad and Tobago need to be lifted a lot more at the moment.

There was legislation on that, but I do not think we have evolved from one level to another very easily. I know internationally you have those capable of giving, with a heart attack, the shock therapy to bring the heart back into system. We know that there are systems where you could give intravenous drugs in the ambulance that can save their life. But I am not certain as to where we are in Trinidad at the moment in terms of the emergency medical technician. So, who are you giving this power to, the paramedic?

And then you have a step advanced to that, but you have not introduced the

person beyond the paramedic. Why have you stopped at the paramedic? There are three steps before that paramedic. So this needs to be answered as well. Now, nursing personnel, Mr. Vice-President, the people who have been involved, the personnel, have done tremendous service to this country and we congratulate them and thank them sincerely for all the tremendous amount of work and dedication to help saving lives.

I listened, unfortunately on Saturday, when the hon. Prime Minister indicated that our Leader of the Opposition has been blaming the medical personnel and I heard the Attorney General this afternoon speak about it as well. The Opposition Leader and no member of the United National Congress has ever blamed the medical personnel or any personnel delivering health care to the people of this country.

Hon. Senators: [*Desk thumping*]

Sen. Dr. T. Gopeesingh: We have always praised them. We have always congratulated them. But you know who we blame? We blame the Prime Minister. We blame the Minister of Health and we blame some of the personnel, the medical, who are giving advice to the Prime Minister and his team. They are falling short of the advice which is required and this is why we try to pull them up, Mr. Vice-President.

Hon. Senators: [*Desk thumping*]

Sen. Dr. T. Gopeesingh: We have been asking to give us the mortality rate in the ICU for almost four to five months now. They have absolutely refused to provide the information. Why? Why are they hiding that? Because the mortality is close to about 100 per cent, when developed countries have a mortality rate of about 30 per cent/40 per cent in an ICU. So this is why we have to be searching for information and the advisors to the Prime Minister and his team have failed and are continuing

to fail to do what is required; provide the information and the statistics in terms of the mortality rate in the ICU and the HDU.

Mr. Vice-President-, the next point is the--

Sen. Dr. Browne: Mr. Vice-President, Standing Order 46(1). We are not talking about, ICU and mortality.

Sen. Mitchell: You need to inject that right now.

Sen. Dr. T. Gopeesingh: Mr. Vice-President, I took copious notes when the last speaker, the Attorney General was—

Mr. Vice-President: Sen. Gopeesingh, I understand that but I am sure you are moving on now from what I have heard, so just move on.

Sen. Dr. T. Gopeesingh: I wonder whether my colleague on the other side was sleeping. He must have had a long night. I have it right here, Mr. Vice-President. The Attorney General was speaking about the ICU and the ICU unit requiring a huge amount of nursing personnel. I documented it. So, when I speak about the ICU, that is the relevance to it, and I am moving on.

The nursing—I came to the fact that the nursing aspect, the Nursing Personnel Act, Chap. 29:53:

“to authorize nursing personnel to administer” the “vaccine under the direction and supervision of a medical practitioner”

We have some of the most brilliant nurses in Trinidad and Tobago, some of the best in the world, that they are sought after internationally. Here a nurse will make about US 2,000 a month. That is US 24,000 a year. They go abroad to Canada and the United States, right next door in Miami, they make about US 90,000 to US 100,000 a year. So we thank the nurses who stay here. We thank them for giving their service. But I just want to ask one question here. When you say nursing personnel, “how far you reach?” We have nursing supervisors. We have top nurses.

We have state-registered nurses. But under the Act it also mentions a nursing assistant. Are we including nursing assistants in this? I hope my colleagues are taking note to answer that question.

To bring in dentists and dental interns for vaccination--in fact dentists use the smallest needles and the most delicate spots in oral cavity, and so on. So they are well equipped in knowing about vaccines and how to administer vaccines. The dental interns, I am sure during their training programme, they would have been able to understand and appreciate how to give the vaccine.

The vets, small animals; the vets give injections to small animals very easily. So we have no question about the vet being able to provide the necessary treatment and the necessary injections. Now, I have a little problem in this aspect, which is clause 7 of the Bill, which seeks to amend the Professions Related to Medicine Act, Chap. 90:04 and:

“to authorize Medical Laboratory Technicians and Radiographers to administer...vaccine under the direction and supervision of a medicinal practitioner.”

Now, some of the best very qualified, very capable, very competent, medical lab technicians and radiographers. They stand second to none. So the issue here is they have not been through the training programme in these two areas of giving injections; whether intramuscularly or intravenously. So how is it now that we are including them under direction and supervision of a medical practitioner? So the medical practitioner might be far away from the site. So, is there a necessity to bring these personnel in for vaccinations? Because the Bill says to administer vaccines. Mr. Vice-President. So they will be administering vaccines. So we have difficulties in understanding and appreciating this aspect.

Mr. Vice-President, I want to proffer now that the legislation is vague and

uncertain with regard to who can lawfully administer a COVID19 vaccine in a couple instances, which I have been through prior to this. And under section 41(5):

“The Interim Council shall, within one month of being appointed...”

I am talking about the Emergency Medical Technicians.

“commence registration of all persons who hold qualifications as—

- (a) Emergency Medical Technician—Basic.
- (b) Emergency Medical Technician—Intermediate.
- (c) Emergency Medical Technician—Paramedic; and
- (d) Emergency Medical Technician—Instructor.”

—which is the highest level. So the question must be asked: If we are authorizing the Emergency Medical Technician at the level of the paramedic, are we to assume that the Emergency Medical Technician at the level of instructor is also allowed these privileges? The law should be clear and unambiguous. How can it be that the person that has a higher level of qualification, as deemed by the Council of Emergency Medical Personnel Board, not know if he or she can have these expanded functions?

Now, the question of where, where are these people going to give the vaccines? It would have been helpful if we had an indication of where this additional scope or functions would be legitimate, that is the administration of the vaccine. Is it that an emergency medical technician will be able to dispense vaccine at a private medical office, doctor's office or practice?

Now have the obvious aim of this Bill is to allow an expansion of the vaccination drive at the Ministry of Health's clinic. So specify the site, specify where they can give the vaccines. But can an Emergency Medical Technician now come in at a private doctor's office and be paid to administer vaccines when you give them that legal ability? Is it that a pharmacist would eventually be able to

dispense vaccines at their pharmacies, as is done in the United States and Canada, which have a different training system for their pharmacists? Will vaccines be eventually allowed to be dispensed at our nation's pharmacies?

Now, how long—the issue is when then, Mr. Vice-President. How long would this additional scope or function be for? What is the duration? Is it for infinity? I think there should be a time frame in this piece of legislation to give an appreciation, at least a year for now because the pandemic is going to go on for another year. And this is not clear and we want to advise that that aspect of it, a time frame, be introduced into this piece of legislation thus allowing it to be renewed whether you have a sunset clause after a year or you go on and you come back to Parliament, and I will speak about that in a while.

But while I am on that, before time runs out, there is a certain aspect of this piece of legislation which calls upon these vaccinators to be able to give other vaccines. And it is broad and vague. Which other vaccines are they being allowed to give? What vaccines are required in the future? You cannot have a piece of legislation that gives autonomy to people who are supposed to be trained and vaccinators, to give other vaccines. What vaccines, measles, mumps, rubella, tetanus, chicken pox? What vaccines? Or the Influenza vaccine? We have no difficulty now with the administration of Influenza vaccines. You get it at the health centers. You get it by general practitioners. So there is no problem. If you want to have—you do not have to bring in the Influenza vaccine in this issue here, because it is already happening. So which vaccines?

And then they have, Mr. Vice-President:

“may by Order”; the Minister may by Order.

And so he can just order that these vaccines must be given by these people, emergency technicians and pharmacists, and so on. By order? This piece of

legislation, Attorney General, needs by affirmative resolution of Parliament, not negative resolution. So that when this has to be—this is a thing that touches people's lives you know. A vaccine is a life, you know. And let me make it clear, I want to say that, from my perspective and the perspective of the Opposition we cannot find any relative contraindication to the use of, for the administration and the acceptance of the vaccine and we recommend it fully to every citizen of Trinidad and Tobago. We have been saying that from the beginning. Our three doctors in the other place have recommended it.

The Prime Minister spoke about me saying that he is happy that Dr. Gopeesingh recommended the Sinopharm vaccine. And some of my colleagues have videos, and so on, strongly recommending the acceptance of the vaccine. So we preach to those outside please go and take your vaccine or you will end up in difficulty and in trouble, when you look to God and you cannot be saved.

5.40 p.m.

And there are many families where two, three members of those families have passed away, because they have not taken the vaccine. There is no relative contraindication to taking it, everybody should go and get it whether you have cancer or whether you have an immunosuppressive disorder, whether you have—well, diabetes, hypertension, particularly obese people must go and take the vaccine, because there is an association between this virus and the patients who are obese, very strong association.

Now, the issue of vicarious liability, Mr. Vice-President, this brings me to this point. It is a situation in which one party is held partly responsible for the unlawful actions of a third party. The third party also carries their own share of the liability. Vicarious liability as we have some very brilliant attorneys in the House and today, another attorney was sworn in. Vicarious liability can arise in situations

where one party is supposed to be responsible for and have control over a third party and is negligent in carrying out that responsibility and exercising that control. And the *Trinidad Newsday* on 29 September, 2021 reported a 34-year-old woman saying that she was given the incorrect COVID-19 vaccine when she returned to the Chaguaramas Heliport Vaccination Site for a second dose in August, 2021.

The first dose she was given was AstraZeneca but when she went back she was mistakenly given Sinopharm. That is a court action, I believe, undergoing—being done now in the courts. And those distinguished attorneys, you all know about the Salmond Test, Sir John Salmond, has been commonly used by the courts and the Bolam Test, and I am sure the Attorney General knows about these having been in the court system for a long while. And where a particular skill or professional expertise is involved, the appropriate comparison is with a person with a small skill or expertise.

In fact, in the United States the PREP Act coverage provides liability and I want to read from this piece of research:

“Subject to certain requirements and if eligible, PREP Act coverage provides liability protections under federal law and state/territorial law with respect to all claims for loss resulting from the administration or use of a covered countermeasure in this case COVID-19 vaccine.”

So, everyone has been reading about the PREP Act. So, Mr. Vice President, this has to be addressed, the liability aspect. I know when we were younger doctors in the hospital system, and God forbid anything happened, we were covered by the State, legally, but with these vaccination areas now with the different personnel, who is covering them, and under what area? Mr. Vice-President, would you be kind enough to indicate how much time I have left?

Mr. Vice-President: You end at 5.53.

Sen. Dr. T. Gopeesingh: 10 more minutes.

Mr. Vice-President: 5.53.

Sen. Dr. T. Gopeesingh: Thank you, 5.53. So the malpractice insurance is an important thing. So what about the pharmacists, the vet surgeons, the professions related to medicine, are they going to be liable personally should an incident that can be deemed malpractice occur, or is the supervising medical doctor's malpractice insurance liable? And we would appreciate if the Attorney General could please clarify.

Should a child develop myocarditis, which is an inflammation of the cardiac muscle or an elderly patient with comorbidities develop a severe thrombocytopenia—I want to tell the population these are rare events, eh, so, do not believe that these are occurring. But in case this happens at any time, from a vaccine dispersed by someone in these additional categories with expanded function, would the vaccine manufacturer deem this incident as a vaccine being dispensed by an authorized person? Mr. Vice-President, the reason I ask is because when we enquire about the terms and conditions of the vaccine manufacturers with our country, we are simply told, “non-disclosure agreement”. It is something that we have to consider because we are expanding the categories of professions that can dispense these vaccines, some without significant clinical training.

So these are the side effects—you have side effects like Guillain-Barré Syndrome being reported. That is an ascending neuritis, where you get weakness in the leg coming up. Sometimes people get difficulty in breathing and they are in real problems.

So an increased number of children in the under 18 group with having a little—a few problems now and then. So many of these vaccine manufacturers have written detailed exemptions from liability in their non-disclosure agreements.

So are we leaving our citizens without a legal recourse if some of these professions were not named in their non-disclosure documents or agreement?

Mr. Vice-President, there are a lot of issues expanding the COVID-19 vaccination workforce—use of PREP Act authorities to protect your community. But most health care personnel are needed to administer these lifesaving vaccines. To address this need, the Acting Secretary of Health and Human Services in the United States and Britain and so on, has signed an amendment to the Public Readiness and Emergency Preparedness Act Declaration (PREP) that expands the pool of qualified people who can become vaccinators. The definition of covered qualified persons authorized to give the vaccine has been expanded as is being sought now. But the issue of training Mr. Vice-President, I am a little worried and very concerned about the issues of training when you are bringing all these additional support, which is required, but they have to be trained, and it is the importance of training health care personnel.

A large number of health care professionals is needed to support COVID-19 vaccination efforts nationwide—we know that. These health care professionals are essential to the population and when vaccination safety is critically important. They play critical roles in proper vaccination storage—that is an area of training, handling, preparation and administration of the vaccine and they must be prepared to respond to vaccine recipients' questions and concerns. It is important these healthcare professionals receive the training needed to effectively meet the demands of their roles.

The Government must speak about what training programmes they have. I heard something in the other place the other day where the Minister of Health was saying something but it was not clear, they had 400-and-something people trained—whether they—one-off training for two hours or three hours; it is

continuous training, you are dealing with people's lives. So if you bring these people on board, they have to be fully trained to become a vaccinator. Training must be ongoing as new COVID-19 vaccines become available and as vaccine recommendations evolve, when we learn more about the vaccines and how to improve the vaccination process.

Medical support staff—critically important, with vaccine preparation and cold chain management. Administrative support staff can assist with cold chain management, data reporting and distribution of required materials to vaccine recipients. Training is important not only for those who will prepare and administer vaccines, but also for those responsible for other critical mandatory functions, including protecting the vaccine cold chain, inputting required data and ensuring vaccine recipients receive documentation of vaccination. It is a mammoth task but we must not fall short.

The competency is important, Mr. Vice-President. Vaccine manufacturers have a number of training programmes internationally, CDC, other federal entities, public health agencies and professional organizations provide a variety of training resources, including print materials, training modules, webinars, seminars and videos for health care professionals who will be preparing and administering vaccines, it is essential that training programmes also include an observation component and competency assessment.

There are sections which describe training and competencies. So core competencies, clinical considerations are important, storage and handling requirements, preparation requirements, administration requirements, anaphylaxis guidance, Mr. Vice-President, anaphylaxis guidance—you never know when that can happen. Do not tell me that an Emergency Medical Technician with a basic level can deal with it. So you need to continue to train and train. I am not

comfortable where I stand from now as a doctor for 47 years, I am a little uncomfortable with the level of training that I heard that has been given at the University of the West Indies and also by two or three other people over a short period of time. So it is a continuous process. And you see training being spoken about in the American literature, in the British literature. Requirements for joining the expanded COVID-19 vaccine workforce: current certificate in basic cardiopulmonary resuscitation—that is a USA training. So if you cannot know how to resuscitate a patient, you find yourself in difficulty and you—to bring you in on the programme of giving vaccinations, it is not a good thing.

Vaccine storage and handling. Vaccine administration and clinical considerations—Pfizer vaccine material, Johnson vaccine material. So—and then the qualifications for people who need to be vaccinators. So, Mr. Vice-President, the British system, you have the Government of the United Kingdom, they have training recommendations for COVID-19 vaccinators. The importance of training for COVID-19 vaccinators, who need to be trained. Training requirements for—training supervision and assessment of competency, additional training, remaining up to date, and so on.

So in summary from that aspect, with an ongoing pandemic that continues to cause millions of infections and over four million deaths across the world, it is crucial that COVID-19 vaccines are safely and effectively delivered to as many of those eligible as possible, this will require knowledgeable, confident and competent vaccinators. It is therefore vital that anyone administering the vaccine is given the time and opportunity to undertake the comprehensive training and ongoing updating their need and that they are supervised and supported in practice as required.

Mr. Vice-President, we need more vaccinators but they need more training. They need very specific training, they need competencies, they need certification and you need to do an analysis as a government of how many you really need. Can you pay more doctors? Can you pay more nurses who are topline people to do the vaccination rather than risking the other areas where these people—pay them properly—if you spend \$5 billion on health care—on the COVID-19, you spend \$5 billion, how much have you paid these personnel, doctors and nurses. So look to see where you could get more competence rather than diluting the area and creating problems at the vaccination centres. We urge all citizens to be vaccinated. Thank you very much, Mr. Vice-President.

Hon. Senators: [*Desk thumping*]

Mr. Vice-President: Sen. Dr. Varma Deyalsingh.

Hon. Senators: [*Desk thumping*]

Sen. Dr. Varma Deyalsingh: Thank you, Mr. Vice-President, for allowing me to partake in this very important Bill we have this afternoon. Sir, I must say the pandemic has been a nightmare, a doctor's nightmare, just to handle this pandemic to see the fall out. It has been a nightmare to myself as a doctor also, as a parent—you know we are worried about our children and even as a child to my father, it is a nightmare to know if he will succumb also.

So never did I expect in this lifetime, I would have been seeing a pandemic occur—and I understand it is just not a nightmare for myself, it is a nightmare for citizens at large and it is a nightmare also for the Government to have to handle this pandemic. Because I do not think when most of the present Ministers entered government, they would have realized they would have been facing this challenge, not just an economic challenge, the medical challenge but a global challenge. So it is definitely a challenge and with times like these we have to come forth with

certain suggestions, we have to come forth with certain ideas that can help us. And having this Bill here actually is a—it is really a need that came about, not just in Trinidad but globally, a need to see how are we going to get other personnel to come on board to help with this war—this war with the invisible enemy. So when you had this invisible enemy, you had to bring forth all our citizens who could come forward. Medical personnel out there who were getting fatigued, tired, burnt out, so we had no choice but to bring in other persons, and this is what they did not just here but elsewhere.

So while I look at the Miscellaneous Provisions (2019 Novel Coronavirus (2019-nCoV) Vaccination Personnel) Bill, which seeks to amend the Emergency Ambulance Services and Emergency Medical Personnel Act, the Pharmacy Board Act, Nursing Personnel Act, Dental Profession Act, Veterinary Surgeons (Registration) Act and the Professionals Related to Medicine Act. All these serve to bring in these other soldiers I want to put them to fight in this war.

We are here today because the emergency powers that we had under the state of emergency is ending, so we cannot rely on that again. Now we have to go—it is two choices we have: either we extend the state of emergency or we now seek to amend these pieces of legislation to give us the power to have these soldiers on board to help in our fight. You see, we tend to have a sense of helplessness where we do not have any answers to children, to patients. And right now, that sense of helplessness, we all feel good in trying to put things in place to help the vaccination drive. And persons who came out—the personnel who came out who volunteered their service, it is a psychological function where persons feel that if there is a common enemy, a common threat, they can come together, bind together to save. So it is really—it is something we saw as a psychological need that people came out and answered that call. And a lot of people came out and

some of them came—they wanted—some of them could not volunteer, some of them volunteered in other ways besides the vaccinations, some of them volunteered to try and get the manning of the stations better.

There were hiccups, as mentioned by the first speaker, where he mentioned hiccups occurred with the rollout, remember we had a delay in the rollout, we had problems with even getting the supply, we had conflict where with Barbados, we had problems with the Indian High Commissioner, certain statements, and it was settled thankfully by our Minister of Foreign and Caricom Affairs, who used diplomacy and calmed those waters. But again, we now have a slew of vaccines available so we have no problems now with vaccines, we are in a good place with that.

We also had challenges with the long lines, waiting in the rain—we saw all these things, but thankfully again, we have now ironed out that situation and we have a system in place. So we have vaccines, we have vaccinators, and we are hoping to hold on to our set of vaccinators. And we are still having a challenge to get the vaccinees is the come forth, those hesitant individuals out there who some may have valid fears and may not want to come forth.

So, what am I saying is, the Prime Minister and his Minister of Health, they were pleading, there was scolding—sometimes the Minister of Health shed a tear, but they were trying all how to make people obey the Public Health Regulations. And trying to obey, I think it is something to convince people, to motivate people. So they were fighting against the onslaught of public having a distrust and you know, early o'clock, I had called for the mandatory wearing of masks and I also called for fines for social distancing, Mr. Vice-President, and I think even after the lockdown has ended, the SOE has ended, we may have to—if we see the populace acting in a manner that is not responsible and could be somehow harmful to those

others who are obeying the regulations, we may have to consider bringing in the fines for social distancing. So even though you have a bar, even though you have places, once you have that social distancing. And why I bring it in, because if you ease up the amount of persons getting exposed, the community spread, you would have less strain on the system, less need for vaccinators to be here and this is why I wanted to say we need that—so the fines I am thinking.

The Minister also said he was deathly afraid of persons partying when the SOE ended and like him, I am also deathly afraid of that, you know. So we have seen people now, fatigued, just being locked up. And after the SOE has ended, we may think that there will be an infringement where people will not obey properly, so we really have to be looking out, we have to have the vaccinators on board, we have to convince people now to come. So it is really a time where the war is arming our vaccinators with needles and syringes and to trying to convince the population. So those vaccinators, Sir, they are exemplars of service. They have given service to the population and we have to be thankful.

So, when I looked at the fact that you had the emergency ambulance staff, 49 came on board; pharmacists, 163; nursing personnel, 82. And the fact is our legislation here went a stage further than some of the other legislation abroad where they would have distinguished different nursing personnel to say well, you know, certain nurses like midwives will come on board, emergency nurses will come on but we try in this legislation to encompass all. So we are giving all a chance, nursing assistants, nursing personnel, and you know, the fact is trying to catch as many persons out there as possible. Then there were 123 dental interns and dentists came on board to assist, 49 veterinary surgeons. And the fact is, we are proud of the 466 vaccinators that came on board, the non-traditional medical ones that also came on board. We are proud of them in their fight and I think we

have to congratulate them. And I must mention what I am seeing, Sir. What I am seeing really is, there is a burn out even among our vaccinators.

So initially, they came with the hope that we would help, we would get Trinidad in a better place, we would have ended this battle probably within a year. Now we are seeing with the Delta strain—with the variant we are seeing now some of them are becoming in a sort—negatively influenced because they said look, we went out there, we gave our service but now we are seeing a battle that some of them say it is a losing battle. So the vaccinators themselves, yes, we are bringing them in but we need to somehow give them that extra benefit or that extra encouragement, and Sen. Gopeesingh did mention, the fact that we may have to look at the remuneration for them, which I would try to come on to later. But you know, Sir, I find what I must mention, so too, I found it a bit puzzling that the state of emergency is ending two weeks before. I and other health care professionals would have hoped we would have seen it to the end.

We know it is a balance between people locked up or people feel they are locked indoors, we know the business community—but you see, right now, with the Delta fall out we are seeing, with the rising 10 per cent of cases we are seeing nearly every week, a rise in 10 per cent. With today, when we heard there were 15 deaths and 414 cases, with that scenario, I think we would have felt as health care professionals, give us a little more breathing space, give us that two weeks. So, it was a little puzzling but here we are, we will have to face with what we are facing. And especially when we realize that most of the deaths were really 25 to 49-year-olds, we really have to take into account the Minister of Health's concern of people partying after the SOE ends and we have to make sure that we each do our part.

Mr. Vice-President: Senator, just to—I allowed you a little breathing room to tie it in specifically to what we are doing here today with the seven clauses and the

addition of personnel. I do not want you to go too broad into the SOE and that coming to an end and whatnot. So, if you can move forward from that particular point and just keep it in line with the fact that we are adding personnel by way of the seven clauses.

Sen. Dr. V. Deyalsingh: Sure, thank you, Sir. So I was just hoping to achieve that if the SOE has now diminished, we will see more cases and we need more vaccinators, but the vaccinators are burnt out, so we need now how to manage them. So, what I am saying is that, besides the vaccinators we also have to ensure that we do not tire out our vaccinators or make them disillusioned. So all the fines that we have placed so far, we may have to consider even increasing those fines. We may have to consider other avenues that we may have to get people to stay in line to prevent that burn out that we are seeing. Even—so if you allow me, I am suggesting I think, one suggestion I have is like even the bars, I am hoping that even it is within the legislative power to say bars listen, from Sunday to Thursday close at 12 and Friday to Saturday open as normal just to give that level of productivity as well as responsibility, as well as to wholly in that level, you know, of unrestraint people may have when they are partying.

So therefore, the need to have the increased vaccinators, I see it is there, I support it all. I say also they need to encourage the vaccinees—more to come forward, those who want to come forward. And you know, Sir, some people may fear to, eh, some people fear vaccines before. There is the conspiracy theorist, there are different people who are a bit skeptical because the novel vaccines that are there. Even though we grew up in a time when the school van used to come and give us vaccines and nothing used to really happen—but now with the fact that these vaccines are all recent, you know, vaccines on the scene, people have that skepticism. We have to understand that and we have to keep supporting it.

Now, people are very scared. I want to make mention to the fact that we have opened up the personnel. So one person came to me and said, “Doc, I went to get the vaccine but I saw my vet there and right now you all are giving me an experimental vaccine and it is a vet going to give me who is accustomed to injecting my dog”.

So all that affairs that we have now, our duty is to let the public know that those persons have undergone some training. Now, I remember Sen. Gopeesingh was mentioning about the training but the Minister of Health did in fact mention the fact that there was some training in place and I just—I would just—if I get some time, I would just want to compare the training that occurred in the UK to our training. Because I am thinking if the vaccinators are coming on board, but people are scared of them, we have to convince persons that they got some training and—but they need additional supervision and this is what I think we need. So therefore, the—what I also welcome also is the fact that I got comfort when the Prime Minister mentioned the promise to increase the ambulance service, the ICU beds and the option of buying antiviral drugs. All those you know, I had got a level of comfort. I got a level of comfort when the sentinel doctors were there—given vaccines to give out too.

So it is not just persons may have to go to these sites with these vaccinators that they are still trying to get accustomed to. They should know that they can go by the sentinel doctors. I have gotten the Sinopharm in my office and Dr. Rai Ragbir, the Opposition Member of Parliament has been given these vaccines and has actually been giving it out in his office and people may come to a doctor because they trust the doctors more than out there. And the Bill also asks for other vaccines to be allowed by the order of the Minister of Health. Now, other vaccines, yes, they may be other disorders that may come, that we will have to be rushing to

develop vaccines, but it has to be ones approved by the Minister of Health and the World Health Organization. I do not think it is—this should really go into the domain of influenza vaccines as Sen. Gopeesingh mentioned, because you see, we already have a system in place for that and to let the non-medical personnel start to give out other vaccines, I think, you know, in a time of crisis with COVID yes, but if you are accustomed giving out vaccines before, I do not see that there is a need to give out flu vaccines.

6.10 p.m.

Regrettably, we have a decrease in population coming in for vaccines; it is a challenge. And also the Minister of Health said they are not really giving booster vaccines yet. So people are asking, “If you are not giving boosters, why do we need these additional vaccinators on board?” But, you see—so the Minister of Health said, “We are giving additional vaccines for those who are HIV, immunocompromised, on cancer treatment, on anticancer treatment, on autoimmune treatment,” and he has not given a commitment yet. But I foresee in the future, as other countries have given the need—have recommended the need to give boosters, even to Johnson & Johnson which was a single dose which people wanted, they now have two doses for that. So other companies have seen the need to give an additional booster because the immunity is wearing out. So I think this is a wise choice the Minister of Health may have had but he did not yet commit himself to the boosters.

So while I want to look at the—you know, the fact that we had a variation ordinance before in 1920 which actually it was used—it gives idea about training and it is really more for like smallpox vaccines, smallpox injections. So we had that ordinance before. Then we had the Medical Service Ordinance, No. 15 of 1921, also where it is said that it is Government’s medical officers—

Mr. Vice-President: Senator, like I said, we are dealing with seven clauses—

Sen. Dr. V. Deyalsingh: Yeah.

Mr. Vice-President: —the increasing of the type of personnel that can administer vaccines. You do not need to go back into the type of ordinances that we had—

Sen. Dr. V. Deyalsingh: Sure. Yeah.

Mr. Vice-President: —in history, so you can move on from that if you have another point to bring forward.

Sen. Dr. V. Deyalsingh: Yeah. Thank you, Sir.

I was just trying to develop that the Medical Service Ordinance—actually they gave the Government medical officers as the ones to do the vaccines, the vaccinators, and they also made mention, like nurses and those other personnel that, you know, there were provisions under the Medical Board Act, under—that persons could give these vaccines under the supervision of a medical practitioner. So I am trying to develop the point that Sen. Gopeesingh made mention of that you really have to have a medical person available. And I want go a step further. I am a medical person but I may not be up-to-date with the emergency life support, you know, techniques that they have available now. So in part of the retraining, not just for vaccinators but even for the doctors who are supervising these places—these persons.

So I need to emphasize the importance of this because, you see—Sir, I just want to give an example of an adverse reaction, as Sen. Gopeesingh said, that could occur. This was a patient who gave permission to name herself and the case. She is a patient called Sherifa Mohammed from No. 2 Bamboo. She went for her first shot, Johnson & Johnson, at the Health Services Unit at UWI—

Mr. Vice-President: So, Senator, you do not really need to go into the example if it is that you are repeating a point that someone has said before where they also

would have made that point pretty well. If you are just in support of that point, which you have already indicated you are, then you do not need to go further into giving examples, especially specifically dealing with a particular individual—

Sen. Dr. V. Deyalsingh: Individual, yes.

Mr. Vice-President: —and what would have occurred with them. So in relation to that example you are giving, you do not need to. You can move on.

Sen. Dr. V. Deyalsingh: Yeah. But—so what I wanted to give here is an example of the system working. You see, we got an example of an adverse reaction. Now, this patient told me she had an adverse reaction. She had an allergic reaction. Her throat started to clamp down and her doctor, Dr. Charrita Ramsaran, at the UWI clinic was able to administer medication. So this is a success. This actually shows that what the Minister of Health had in place, that he would have the emergency trays, he would have the doctors there available and I, you know—even he was criticized initially when some health centres said they were left out in certain areas. But the logic behind it is you have to have well equipped emergency trays with personnel trained to handle it. You just cannot helter-skelter put vaccines in every corner. So the point I want to make, this was a patient who praised the service, who said, “Hey, it saved me. Things were in place and we have to congratulate the health services for that.”

So this Bill serves to amend, I think it is seven—well, it looks at six parent clauses to, you know, allow these persons to administer these vaccines, the additional staff. I made mention of the fact that, you know, the UK also, Sir, brought in this piece of legislation where they actually had—so it is not to say we are suddenly just making up to bring in other personnel. The UK had the occupational health vaccinators. They had the Human Medicines (Coronavirus and Influenza), you know, amendments in 2020, where they brought it staff, just as

how we are attempting to do here. They brought in pharmacists, physiotherapists, paramedics, just as us, and different strategies of nurses; Canada, USA also brought in staff.

There is the Public Readiness and Emergency Preparedness Act where—the PREP Act in the United States where it actually brought in people but there was a difference. That PREP Act actually gives coverage to provide liability protection, and I mention that because Sen. Gopeesingh did mention the fact that there would have been—he is a bit concerned about what would happen if there are certain adverse conditions. So I just want to say, we have to have some solution to that and, you know, we have to really continue to prevent any sort of adverse effects, eh. We have to educate the population that, yes, there are very rare side effects. So, you know—so there are very rare side effects that could occur but we have things in place like the crash trays. We have to ensure the crash trays are well equipped. And sometimes, you know, you can have probably a million chances that you can suffer adverse effects.

But what I would really like to say, we cannot have the public lose trust and confidence in science and scientific method and what we are doing. We have to explain to the public. We have to explain to the public who are getting these vaccines that there are certain ill effects that occur that are not really serious. And if you allow me, Sir, there is something called COVID arm—

Mr. Vice-President: Again, Senator, it is not a debate in relation to COVID and what needs to be done by way of education and whatnot. This is a very specific Bill, specific clauses that allow for specific things to happen and it is within that context which you have been doing for most of your contribution. But any time you veer off into a wider COVID debate, you run afoul of the Standing Order in relation to relevance.

Sen. Dr. V. Deyalsingh: Sure.

Mr. Vice-President: So keep it in relation to the increase in personnel that would be now allowed to give vaccines and if you want in response to anything else that have been said before without repeating and drilling down into what has been said before.

Sen. Dr. V. Deyalsingh: Okay. Thank you, Sir. I would like to just make the, you know, the—rebut a bit about the fact that persons out there think that there are so many adverse side effects and if you are going to have vaccinators on board, the vaccinators should be aware and the public out there should be aware there is just—

Mr. Vice-President: So that is a repeat of the argument which you yourself said, which Sen. Gopeesingh said as well, in relation to training. So that is where the rehashing of the same points is coming up and tedious repetition comes into play. So that is why I am saying be careful, move forward, new points.

Sen. Dr. V. Deyalsingh: Okay. So while I would move forward that, you know, there are conditions that we need to be aware of, SIRVA, which is a shoulder injury. We need to be aware of COVID arm. We need to be aware that there are instances out there that the medical doctors could alleviate their fears. And the training that, I think, we had mentioned before, we have to realize that when people ask for proper training, we have to appreciate the fact that—I think the Ministry did have, I think, a module and they had certain persons actually trained these vaccinators on their need for storage and side effects and all these things. And it was really—they followed the modules that the WHO had given, the six modules the UNICEF had for this training. So I have to say that the training aspect is there but we may have—and we did follow, I see guidelines, international guidelines, but we—so I am satisfied about the training but we have to keep

reminding the persons to see that they are, you know, under the guidance of a doctor who would be able to look at any adverse effects and also, let the vaccinators know that—remind them about the proper techniques.

Mr. Vice-President, it was mentioned about the fact about the volunteers not being paid and I just want to make mention to the fact that in the UK, they do in fact pay some of the programme registered vaccinators—

Mr. Vice-President: Senator, so when you say, “It has been mentioned,” and then you go on to lay on an example on top of that in another country, again, tedious repetition comes into play. There is no need to further make the point. If you are passing over the point in support of, that is okay, but when you drill down into it further then you are being tedious in terms of repeating things that have been said before. So I have heard what you have said, if you have a new point now—you do not need to go into what has happened in the UK, you have supported it, we have heard it. If you have something new after that, I invite you now to bring it forward.

Sen. Dr. V. Deyalsingh: Thank you, Sir. My suggestion was just as how the UK could consider that, if we cannot consider that down here, we should probably give some level of certificate to these vaccinators so in the future when they are going for jobs, they would have that level that they did participate in a national effort. And somehow if they are going for any Government jobs after, it is like they give service to their country and even though it is not monetary rewards, we can still offer them this certificate to say they did come forward to help the country and assist the country in times like this. And again, if I have to hire certain personnel in my office and I see they have this sort of certificate, I may be tempted to say. “Well, you have one because you showed me you have that level of service and that dedication.”

So I must make mention to the fact that—the fact that if you are giving these

vaccinators the ability to actually give these vaccines, it was mentioned, would a pharmacist now go on his own and decide he wanted to give a vaccine? In the past, we had cases where some pharmacists were giving contraception injections. I knew of cases where some gym instructors were giving testosterone injections for carnival. So we have to be aware and I am hoping that we can get some clarification on these, you know, in this Bill that, you know, if we are looking to give these personnel the permission to give the vaccines under the guidance of a doctor, we should also have, you know—if there are any potential for abuse or they go out on a frolic to think a doctor is to give injections, we should always have something tied into the legislation to have some sort of a punitive measure that if they decide they want to, you know, move away on their own, give vaccines, be it a pharmacist in his pharmacy—and I am speaking about other vaccines now, Sir, not just the vaccines that are given via the permission of the Minister of Health.

So, as I close, I must say I support this move. I think we need it. I think we need to—we need to evolve our fight from what is happening out there because the virus has been coming to us in different forms. While we are thinking we are conquering it, it is still out there and we need to evolve our way how to fight it, be it more personnel, and we have to learn how to adapt. We have to learn to set the proper example. One thing I might say, Sir, I was a bit disappointed, even though I am so happy that the promises we got from our Prime Minister recently with the ambulance and et cetera, I was disappointed when I looked at the COP26 Conference and world leaders were without their masks and I think we have to send a better message. And I am thinking, we do not want anything to happen to our world leaders and I am thinking that we may have to keep reminding them we need them around a long while from now to help us in this fight and to be a little more careful when they are out there. Thank you, Sir.

Hon. Senators: [*Desk thumping*]

Mr. Vice-President: Sen. Vieira.

Hon. Senators: [*Desk thumping*]

Sen. Anthony Vieira: Thank you, Mr. Vice-President. My difficulty with this Bill is that it is an uninspiring continuation of Government's singular reliance on the use of vaccinations to end the Coronavirus pandemic. The belief is that if we all get vaccinated this pandemic will end but this belief is open to doubt when one considers the current resurgence of COVID in highly vaccinated countries. According to the BBC, infections have spiked in the Seychelles, reputedly the most vaccinated country in the world. Mauritius is now imposing a raft of new curbs and health protocols, despite having one of the highest vaccination rates in the world. The Cayman Islands, with a population of 65,720, had 751 new cases of COVID on the 11th of November, even though 83.2 per cent of its population is fully vaccinated. The Dutch government just announced a further lockdown after over 16,000 new cases were recorded in one day, even though 84 per cent of Dutch adults have been fully vaccinated.

Despite a high vaccination rate, Germany and Italy are also confronting a surge in cases and the WHO is warning that Europe is once again at the epicenter of the pandemic. Yet the state of Uttar Pradesh in India, which has a population of 240 million and only 20 per cent of its population fully vaccinated, reportedly has less than 10 new cases. What is going on here? As much as we want to believe in the effectiveness of vaccines and as much as we want to see COVID disappear, we are not seeing a reduction in the spread of the virus where communities are highly vaccinated. So please forgive me for expressing skepticism about Government's monochromatic approach and the thinking behind this legislation.

I am skeptical about Government's religious reliance on the WHO and what

I regard as questionable guidance and protocols. I am skeptical about closed-mindedness which excludes and withholds other viable treatments. I am skeptical about vaccine coercion, especially where children and those who have recovered from COVID naturally are required to be vaccinated. I am skeptical about hailing vaccines as the only proven solution when their purported attributes keep changing. For example, we are now being told about the waning of immunity and that boosters and further shots will be required. I am skeptical about Government's safe zones policy which ignores the fact that fully vaccinated persons can catch and pass this virus. Even if they have no symptoms, they can be just as infectious as those who have been jabbed, as those who have not been jabbed.

There is a risk of people being lulled into a sense of false security with these safe zones. I am skeptical of policies which play to our fears. And before going further, this is an opportune time to declare once again, I am not an anti-vaxxer, I am fully vaccinated, but I encourage hon. Senators to look long and hard at Government's strategies, policy decisions and public actions geared towards dealing with this virus. We must be willing to challenge the data and be open to rigorous debate. Now, while I accept that vaccinations have an important role in the fight against COVID, I do not accept that they are the panacea in and of themselves. And it is not unreasonable to ask questions about them nor do I think it is right for persons in high authority to diss on those who question the efficacy and safety of vaccines. Citizens are entitled to make informed choices regarding their health and well-being, including the right to determine what can and what cannot be injected into their bodies and those of their children.

Individual autonomy is a right, people should not be pressured into taking vaccinations based on panic-inducing headlines and it is wrong to dismiss

legitimate concerns as paranoia or conspiracy theory gullibility. For anyone who doubts whether there are risks associated with COVID--19 vaccines, I invite them to check out data recently released by the CDC under its Vaccine Adverse Event Reporting System, showing a total of 875,563 adverse events following COVID vaccines between December last year and early November this year, including a total of 18,461 reported deaths and 135,400 reports of serious injuries. Particularly disturbing is the fact that in the United States, some persons were inappropriately injected presumably by trained medical professionals and this is cause for pause when considering this legislation, vaccines being administered by medical-related personnel supposedly under the direction and supervision of medical practitioners. Will the fruit of this legislation be a sufficient safeguard when injected persons suffer anaphylactic shock or go into cardiac arrest or have life-threatening hypersensitivity reactions requiring immediate treatment? Now, I have no doubt that if any other drug had had as high numbers of adverse effects as reported in the US and elsewhere, use of that drug would have been discontinued immediately. But as they were initially administered under Emergency Use Authorization, the COVID vaccines got a “bligh”, yet it cannot be denied that these drugs were rushed to market and are yet to establish themselves as providing immunity against COVID.

Now, I used the word “drugs” deliberately because unlike conventional vaccines which rely on weakened and inactivated pathogens or a fragment of pathogens to trigger an immune response, these treatments are different.

Sen. Mitchell: Mr. Vice-President, as much I like to hear my hon. friend, I have to raise 46(1), please.

Mr. Vice-President: Yes, Sen. Vieira, so as much I have allowed you some leeway to create the context coming into the debate, what is happening is that it is

becoming, as was the case as I indicated with Sen. Deyalsingh, a broad of COVID-19 debate. What we are dealing with specifically is the introduction of new personnel to apply vaccines. When you are going off into the efficacy of the vaccine, it gets a little bit too broad in terms of what we are dealing with specifically. So I would ask you to tie it up and tighten it to specifically the seven clauses in the Bill.

Sen. A. Vieira: Thank you, Mr. Vice-President. But just to be clear, the Attorney General did talk about the global situation. He did say that vaccination is the best response. He did say that it is the approved proven solution, being the approved WHO vaccines, that in a nutshell that is what this Bill is about. He has made a plea for all eligible persons to be vaccinated because the benefits are undeniable. And so, we are talking about life and death. We are talking about a trigger event that is going to change everything and we do need to have at least an opposing view, something to challenge what is being put out there. So I am guided, Sir, but I would ask you to just bear with me. I will not be long.

I was going to say that these are not the conventional vaccines. These treatments are different. They use a new approach whereby a cocktail of drugs using messenger ribonucleic acid or mRNA as the active ingredient is delivered into our cells to make spike proteins meant to trigger an immune response inside our bodies. So they do not use the live virus which causes COVID-19. Are they really vaccines in the traditional sense of the word? And we know they do not provide the kind of immunity one gains when using the tried-and-tested vaccines that we have, for example, with polio, measles, mumps, rubella.

Now, I am not disputing whether these drugs work, I want to believe they do, but they are different to conventional vaccines. That is all I am saying. Moreover, and as stated from the outset, this legislation is predicated on the belief

that if everyone gets vaccinated, it will stop the pandemic but where is the proof? The Chinese have a saying, “You could call a cat a fish, it still won’t swim.” Similarly, how can we assert that vaccines will end the pandemic when the original notion that fully vaccinated persons cannot get COVID, fall sick or die from it? That notion has been debunked. And how can one assert that vaccinations will end the pandemic when countries with low vaccine rates appear to be doing better than their more highly vaccinated counterparts?

COVID is not untreatable but it will take humility and open-mindedness to find the right method. In the meantime, I believe, people should be encouraged, not discouraged, to get out in the open, whether it is to exercise, play sports, go to the beach or just to have fun. Sunshine and clean air are natural enemies of this virus. Instead of fearmongering, we should be promoting healthy lifestyle defined by WHO as:

“...a way of living that lowers the risk of being seriously ill or dying early.” Health is not just about avoiding disease, it is also about physical, mental and social well-being. Government should allow alternative treatments and remedies to be readily available even if it does not want to officially endorse them.

We should be finding ways to assist those who have been financially crippled by the restrictions and lockdowns, in reaching a resolution in arrears disputes and unpaid debts, including service charges and interest by devising statutory restructuring plans, schemes of arrangement and guidelines for voluntary settlements, whether in is case of small business, landlord and tenant, financial institutions and customers.

Government must improve the working conditions and terms of employment for our nurses and our frontline workers. It is time to stop the exodus of caregivers after having committed time, energy and resources in training them for the benefit

of other countries. If we want to sincerely thank medical personnel, Government should be doing everything in its power to keep our healthcare workforce happy and wanting to stay here. Even if we authorize additional personnel to administer COVID vaccines, as this legislation seeks to do, the fact remains that vaccinations do not prevent infection and will not stop viral transmission.

In my respectful view, Government needs to pay close attention to what is happening elsewhere, and not just blindly follow the WHO's linear approach.

6.40 p.m.

The Ministry of Health confirmed yesterday that fully vaccinated people have died in Trinidad and Tobago. Are we to downplay these deaths as aberrations, so-called break through cases? As far as I am concerned, there are just too many anomalies, and I would ask the hon. Minister of Health, through you, Mr. Vice-President, on behalf of the citizens of Trinidad and Tobago, to follow the science, do the research, connect the dots.

We should be asking ourselves why some countries are now moving away from the vaccines. Why is Finland, Sweden, Denmark and Norway limiting the use of the Moderna vaccine in younger age groups, and why are people questioning what appears to be bioethics violations on the part of Pfizer?

Crisis is a driver which requires us to change and adapt. We need to stay vigilant, especially when new findings force us to reconsider whether the vaccine roll-out is the best or only viable policy. I thank you.

Mr. Vice-President: Acting Attorney General.

The Minister of Energy and Energy Affairs, Minister in the Office of the Prime Minister and the Acting Attorney General and Minister of Legal Affairs (Hon. Stuart Young): Thank you very much, Mr. Vice-President, and to Members of the Senate. As I wind up this debate today, there are just a few points

that I must address. Allow me to start off, Mr. Vice-President, through you, to put on the record that in Trinidad and Tobago—these are facts, this is not speaking hypothetically, this is not reading about any alternate jurisdiction—in the Republic of Trinidad and Tobago we have administered 1.2 million COVID-19 vaccines.

Hon. Senators: [*Desk thumping*]

Hon. S. Young: So let us put this into context. This is not if we do this, we should have done that. We have administered 1.2 million WHO-approved COVID-19 vaccines in Trinidad and Tobago, and I have been informed by the Ministry of Health that out of those 1.2 million administered vaccines, we have had less than 10 adverse events. So to pick one event, or maybe two events, and try to make that about the whole vaccination would really be a little less than honest, and I am not suggesting that any previous speaker did that. So we now know that that is what we have done here in Trinidad and Tobago.

This Bill is not about COVID-19 vaccines and the efficacy of COVID-19 vaccines, but I must respond to the last speaker. I am not a doctor, I am not a scientist, but I have been part of this Government's management of COVID-19 now for almost two years, meeting on a weekly basis with our medical health personnel, and sometimes more than that, and being briefed on a daily basis. No one is saying that by being vaccinated with WHO-approved COVID-19 vaccines, you will not contract the virus. We have not said that, that is not a fact. It is still possible to contract the virus. However, this is no longer about the number of positive COVID-19 cases, because we can see on a daily basis right here in Trinidad and Tobago, where you have on some days of last week over 500 new positive cases.

What we look at in the management of COVID-19 is how many require hospitalization. So out of over a three-day period where you have over 500 cases,

1,500 new cases, how many out of 1,500 new positive COVID cases require hospitalization. That is what you look at when you are managing COVID.

Hon. Senators: [*Desk thumping*]

Hon. S. Young: And we also know, because we have been told and it is factual, by again our public health experts, over 94 per cent of the persons who require the highest levels of care are unvaccinated. That again is a fact. So you know that out of every 100 persons requiring hospitalization as a result of being positive for COVID-19, 94 of them are unvaccinated.

I heard it being mentioned that there are some people who are fully vaccinated that have unfortunately passed away. I know, because I have been exposed to the facts in the briefings. Those persons who have been fully vaccinated either contracted the virus during their vaccination cycle, or the vast majority of them had serious co-morbidities, had things like dialysis, renal failure, all not associated to COVID, and some of them were elderly, for example over 80 years old in life, and one can say that unfortunately they were in the latter part of life and on their way out, and COVID may just have done that for them, in addition to co-morbidities and other serious prevailing medical conditions.

So I would not want anyone to walk away—everyone is entitled to their own opinions and to their view of the world, but to say that the Government's following of WHO is less than advisable, or to say that vaccination does not have benefits, I would put it as neutrally as that—there must be and there are and it is scientifically proven, that there are benefits of vaccination, and we now know, because it is less than two years the world is dealing with COVID-19. It continues to evolve. We continue to learn from the science. We continue to learn and see how the virus has mutated, how we have had to deal with different variants, how different variants have acted, how the vaccine works, et cetera. What we do know is vaccines have

been saving lives. There is no doubt about that whatsoever.

As I said, this Bill is not about the efficacy of the vaccines, but I could not leave it unanswered or unresponded to by not stating these very pertinent facts.

This Bill and what we are seeking to achieve by this Bill is really expanding the categories of persons who legally can apply, in specific circumstances, the COVID-19 vaccines to persons, and administer it. That is the first part of it. We are expanding it. I do not need to go back through who are the categories of persons.

There were a lot of suggestions, and I just want to go to the first speaker, Sen. Gopeesingh. I could not help but write down, in listening to him, in particular coming to the end, it sounded like a red herring contribution, a tongue in cheek contribution, or a bogeyman contribution, choose which one. "Let us focus on the training".

We have heard attack on medical personnel. We heard the attempt today to try and retract, to do a Michael Jackson moonwalk backwards away from attacking certain medical personnel. Today for the first time we are hearing a suggestion that there is not sufficient training. We have in our presence a number of medical personnel. I was told by two Senators on the Government side, both Dr. Amery Browne as well as Dr. Ibrahim, in your first year, the first year of medical training to be a doctor, a dentist, a vet and a nurse, one of the courses that you must pass is the administering of injections, including vaccines. So to come here and to tell the population that you do not think recently qualified medical doctors should be allowed to vaccinate people, complete rubbish. And to make that suggestion, again is trying to mislead the population, to fear monger. I also have here in front of me the training that is provided by the Ministry of Health, again real time.

The proof of the pudding is in the eating. Mr. Vice-President, 1.2 million vaccines applied in Trinidad and Tobago, successfully applied. Less than 10

adverse events out of 1.2 million vaccines, and then you would come and raise the issue of training, and suggestions that it may not be sufficient and you have fears? We are dealing with a pandemic. We are dealing with the reality of loss of lives on a daily basis, and one of the accepted pillars in responding to that—because nothing is foolproof, nothing is 100 per cent guaranteed. Very little in life is 100 per cent guaranteed, apart from death.

This is just one of the pillars in the Government's response, and we have come here today to prepare ourselves for what we are dealing with now and what may come in the future. The protection of this Bill is that it has to come via an order of the Minister, for any additional vaccines to be applied by these categories of people. Let me just complete the training point. I completely disagree with Sen. Gopeesingh. The facts are there, that all of the people who have been administering these vaccines have done so successfully. There is the training, there is the responses. As I said, that the parent legislation cannot provide for where vaccines can be administered. You have no idea what may happen tomorrow or 10 years from here. God forbid a hurricane wipes through the country, and then we have a need to apply vaccines of a different nature and there is little infrastructure in place.

You are going to say, well, it is said that it can only be in a hospital or a health centre or a building 10 by four? You do not put that in parent legislation of this nature. That is an administrative exercise. Again, the proof of the pudding in that, having been done successfully in Trinidad and Tobago, is for the past few months, from April to November in Trinidad and Tobago, 1.2 million vaccines successfully applied and administered to people in Trinidad and Tobago, and the settings all worked.

I had the opportunity, being fully vaccinated myself, taking my children to

be fully vaccinated as well, to go to at least three different places to have the vaccines administered to myself and to my children, and to see how effortlessly, how the flow worked. So we are not talking about this is what we may do, that is how we should do it, we have done it 1.2 million times. The infrastructure was there, the people did it successfully. So let not us waste time talking about the “what ifs”.

In the future if it needs to be applied, we have to trust whoever is the Minister of Health at the time, because he or she will have to issue an order for that additional vaccine to be administered by these people. As Sen. Deyalsingh said, tomorrow the state of emergency, it is intended to be revoked, these people who have administering vaccines and helping us in this scheme, as one of the pillars of response, need the coverage to be able to continue, and it would go on directly to the parent legislation.

It sounds nice to talk about vicarious liability. It sounds nice to talk about liability and if something goes wrong, and NDAs and the coverage from the vaccine suppliers, et cetera. It applies on a daily basis. If you or I, God forbid, have an emergency incident and a medical health care professional, a paramedic has to come to you, where is the liability there? It is what the law is; this does not change that in any way. If someone applies it negligently, that is the law of negligence. The law protects, the law provides, it does not come in this legislation. So again, that is another red herring.

The Minister of Health has provided one of the examples of the efficient, and I have to say, well-populated training that has been implemented for these persons who are administering the vaccine. I have here a schedule from 8.00 in the morning to 3.00 p.m., and how these training sessions went for those persons who needed training to administer the vaccine, and it is broken down into a number of

doctors, a number of specialist personnel giving them. It contains management of adverse events, one of the issues raised, the process of vaccine administration, the cold chain, how vaccines work, the type of vaccines, the expanded programme of immunization, the documentation, how to fill it out, the questions and answers, and then a demonstration. Again, we are not speaking hypothetically, we are not speaking this is what should happen. It has happened, it has been successfully applied to 1.2 million people in Trinidad and Tobago.

Just allow me to just check my notes, Mr. Vice-President, so we can wrap up. One of the first points by Sen. Gopeesingh was how many persons are needed to provide mass vaccination. Again, do not raise these red herrings, we have done it, it has happened. Medical interns should not administer vaccines, I have dealt with that. Where they would give the vaccines at the site, where is it going to be—again that is an administrative issue. He talked about those with two vaccines who passed away, I have explained those few occasions what those persons—what those individuals were suffering with at the times.

This, again, attempt to moonwalk backwards, that the Leader of the Opposition or no Member of the Opposition ever attacked the medical practitioners and so on, and then for them to focus their attacks on those who are advising the Prime Minister, the Minister of Health and the Members of Cabinet who are trying to manage for the people of Trinidad and Tobago our response to COVID. That is completely untrue; we all heard it. I remember waking up that Sunday morning and seeing on Saturday evening the Leader of the Opposition putting out a vile, abusive statement attacking the CMO, attacking all of those doctors who were there offering their advice and helping this country to manage COVID. As a citizen of Trinidad and Tobago, I have the opportunity to put on *Hansard* we reject that, that is wrong.

Hon. Senators: [*Desk thumping*]

Hon. S. Young: Attack the politicians all you want, because it is unwarranted 98 per cent of the time, but then to start attacking public servants, you cannot backtrack from that now. It is a fact, it happened. They have a way that they always are trying, the Opposition, to rewrite history. The population has seen it and they rejected it, and we reject it.

The legislation is too vague as to who can administer the COVID-19 vaccine—the legislation is clear. This is amending parent legislation. You have to go to the parent legislation of these six different Acts to see the various definitions, et cetera. It is clear; there is no vagueness about it.

What vaccines in the future—we cannot predict now today what are the vaccines in the future, a Minister of Health in the future may want to add via order, but there is a process, a legal process and an accepted process that we are passing here today.

So, Mr. Vice-President, I ask that the Senate continue to apply the common sense, continue to do what is right, continue to work with the Government, as we respond to the COVID-19 pandemic. This Bill here today is just one small pillar in giving us the tools. It was, again, I think Sen. Deyalsingh who said you are at war and you basically need an arsenal, you need tools to go to war with. This is one of them. It has been applied in other jurisdictions. It has been successfully applied here in Trinidad and Tobago, as we have responded to the pandemic, and I ask that all of you Senators join us here today and let us just pass this simple legislation to allow us to have that in our toolbox, the arsenal, as we continue to manage and to fight this ungodly virus that is COVID-19. I thank you. I beg to move.

Hon. Senators: [*Desk thumping*]

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole Senate.

Senate in committee.

Mr. Chairman: Hon. Members, this particular piece of legislation has seven clauses, and so we shall now proceed. As far as I am aware, no amendments have been circulated.

Clerk: Clauses 1 to 7—[*Interruption*]

Sen. Mark: [*Inaudible*]

Mr. Chairman: Yes, 1 to 7.

Sen. Mark: [*Inaudible*]

Mr. Chairman: Do you have any amendments?

Sen. Mark: Yes.

Mr. Chairman: Yes? Okay, we will take it one by one then.

Clause 1.

Question proposed: That clause 1 stand part of the Bill.

Sen. Mark: Mr. Chairman, we would like the hon. Minister to consider after the word “Order”—is it clause 1 or clause 2 we are on, Sir?

Mr. Chairman: Clause 1.

Sen. Mark: Okay, clause 1. I will wait until clause 2.

Mr. Chairman: So you are fine with clause 1 then?

Sen. Mark: Yes.

Question put and agreed to.

Clause 1 ordered to stand part of the Bill.

Clause 2.

Question proposed: That clause 2 stand part of the Bill.

Sen. Mark: Mr. Chairman, in clause 2 there is an amendment that talks about, “or

such other vaccine as the Minister may by Order prescribe”. Because of the extent of this arrangement in which we are going beyond the COVID-19 vaccine, and extending the same to other vaccines, we would like to put after the word “Order, “subject to an affirmative resolution of the Parliament”.

Mr. Young: Thank you very much, Mr. Chair. I have heard what the Opposition has proposed. The truth is, and it is something I should have responded to in the wrapping up, a lot of talk about the application and administering of vaccines has fallen from the lips of those on the other side, and the potential risks, et cetera. This is nothing new. We have been vaccinating people for well over a decade. These categories of people have all been trained. We have to be able to trust whoever is the Minister of Health at the time. He or she must have a good, a reasonable reason; it must be justifiable. If there is any issue with it, someone of course can challenge that in court. So I do not think at this time we are going to go with any affirmative—

Sen. Mark: Mr. Chair, if I may. I think the Minister is absolutely wrong on the point that he has raised. Before the COVID-19 pandemic, the only persons authorized to administer vaccines fell under the Medical Board Act, and that had to be prescribed by, or recommended by a doctor. So a nurse could have done it, a registered nurse, but what is happening, Mr. Chairman, with the COVID-19, we have had to get other persons on board, as the Minister said, because of the pandemic. So we understand that. But what the Minister has done in this particular clause is that it says beyond the COVID-19 vaccines, any other vaccine. So what we are saying, this is a new development that we are getting into and, therefore, in those circumstances we as a Parliament would like oversight as it relates to that power that they are giving to the Minister. That is why we are proposing, Mr. Chairman, that it be subject to an affirmative resolution of the Parliament. That is

why we are doing that.

Mr. Chairman: Sen. Gopeesingh.

Mr. Gopeesingh: Mr. Chairman, this here—I support fully my colleague Sen. Mark. I cannot in my wildest imagination, being a doctor for 47 years, sit down—*[Interruption]* I earn my keep. “Doh say oh, oh.” I earn my keep as a doctor for 47 years.

Mr. Chairman: Continue Sen. Gopeesingh. Continue your contribution.

Mr. Gopeesingh: What vaccine do they have in mind, or what can be occurring in the future that we must sanction now that these people must be able to give the vaccine? What is that vaccine? Where is it coming from? Are they going to give mumps, measles, tetanus? We already have these can be given by doctors and by nurses, but you want an emergency medical technician to give a vaccine? Do you want a radiographer to give a vaccine? No, Mr. Chairman.

Mr. Chairman: Sen. Richards.

Sen. Richards: Thank you, Mr. Chair. The Bill is called the Miscellaneous Provisions (2019 Novel Coronavirus (2019-nCoV) Vaccination Personnel) Bill, 2021, yet we are being asked to approve a clause which indicates “any other such vaccine”. So I would humbly suggest that this be amended to include “in relation to the pandemic of COVID-19”, because it is unthinkable to me that we could be approving or seeking to approve “or such vaccines as the Minister may prescribe”, which does not have any parameters that deal with COVID-19, as stated by the title of the Act. That is one.

And two, the hon. Acting Attorney General and Minister of Legal Affairs, indicated during his wrapping up that the caveat related to the supervision of a medical practitioner is not necessarily a bad one, with the absence of some sort of timeline or experience related. Well, the person can administer a vaccine—you are

taught to do that in your first year, but to me the intention of having the supervision of a medical practitioner is not necessarily to administer the vaccine alone. It is to attend to the person should an adverse effect take place. So what is going to happen if the person is a first year and not experienced enough to handle that sort of situation? Are they going to call for an experienced doctor?

So I think there is no harm in putting a two-year experience or something, to ensure that that supervisory person fulfills a wider responsibility to safeguard the personnel. So it is not just to administer a vaccine. You are supervising to safeguard a life in the event that something adverse happens.

7.10 p.m.

Mr. Chairman: Okay. So, Attorney General, do you want to answer the three because Sen. Vieira has something to say. Or do you want to hear Sen. Vieira?

Mr. Young: Well, can I just answer those and then come to Sen. Vieira?

Mr. Vice-President: Sure.

Mr. Young: Okay. I do not think, respectfully, there is need for this level of, I almost used the word hysteria. At the end at the end of the day it is not a Minister who administratively decides what vaccine it is. And to answer Sen. Gopeesingh as I did as I was responding, you cannot predict what was happening. In December 2019, you could not predict that there was going to be a pandemic and COVID-19 and how the world's response in terms of it would be. You yourself and your personal experiences and you know how it has gone today. You praised the personnel, the nursing personnel, et cetera.

As I said in the first year of medical training, medical students must pass courses as to how they administer shots, not only vaccines but shots. It was explained to me by the medical personnel. There are three types of injections that are given into muscle and I am not a doctor but you know what that is about.

I do not—I have heard the concern being raised. I have heard the concerns saying that, well, how could you just let a Minister. The truth is, a Minister comes to the Cabinet for approval for this and has to justify it based on what the medical personnel have advised. When we declared in this pandemic that COVID-19 had to be escalated, it was not based on listening to the Minister of Health. He brought before us all of the support documentation, the advice of the medical personnel at the Ministry of Health. It is the same thing that would apply here as to what is the other vaccine that may need to be applied. All right? This is not something that is going to be utilized. It is not for mumps but it may very well be. If something breaks out, if there is a virus breaking out on the south-western peninsular or something and it requires an emergency response.

To deal with one of the points raised by Sen. Richards and it is a concern that he has because he raised it with me earlier: What about the surrounding environment of the administering of a vaccine and what if something goes wrong? Again, that is something that is dealt with administratively. As we have seen here, as I said in the winding up, with the administering of 1.2 million doses of the vaccine and that was done successfully and there were less than 10 adverse events to it. We are not going to put in the parent legislation here, we are not going to put here that it must be a person with two years' experience, et cetera. If any one of us is in a circumstance and it is an emergency circumstance and, for example, you are having an allergic reaction and a medical health care who is a paramedic or someone pulls up with the epi injection or whatever they call it, they apply it. So let us not become too paranoid here with the application of vaccines. At the time we must trust that whoever is in charge will do what is right. You cannot get into every prescription here with the expansion of these categories of people. If I may, hear Sen. Vieira.

Mr. Chairman: Sen. Vieira.

Sen. Vieira: Thank you, Chair. Vaccine is defined in a way that allows a lot of latitude. The vaccine approved by the Minister of Health in accordance with the Food and Drugs Regulations. Now, this legislation is solely about administering the COVID vaccines. So given that definition, “other vaccine” must mean something outside the coronavirus.

And so I share Dr. Gopeesingh’s concern. I really do not think that we should even have this amendment:

“...or such other vaccine as the Minister may by Order, prescribe.”

It should just be:

...may administer a 2019 novel coronavirus vaccine.

Sen. Dr. Gopeesingh: Mr. Chair, I heard what the acting Attorney General indicated just a while ago, that if something turns up very urgently what would we do? But something turned up urgently and they were able to deal with it under the emergency health regulation. So you have an avenue to deal with it through the emergency health regulation if something drastically is happening in terms of virus—

Mr. Young: It is actually dealt with where the—a state of emergency regulation, not the emergency health regulation.

Sen. Dr. Gopeesingh: Well, you did it. You called for a state of emergency. But to give a carte blanche ability for whether Minister A, or next two or three years Minister B or whatever, from a scientific perspective I cannot see that we are giving a carte blanche ability for an emergency technician to give a vaccine when they—what was the training that was required, you are saying that the emergency technician now can give it. You are saying that a paramedic could give it. You are saying that a radiographer can give it and even a pharmacist. And pharmacists are

not trained in Trinidad under the Faculty of Medical Sciences. They are not trained in administering vaccines and even taking blood from patients. That is against the thing of a citizen. Pharmacists are not trained.

Dr. Browne: Mr. Chairman—

Sen. Dr. Gopeesingh: So to give pharmacists the ability—in the United States and Canada pharmacists are specifically trained. That is why Walmart and Walgreens and so on, they are trained and they are covered on liability, eh. They are covered.

Mr. Chairman: So I will take Sen. Mark and then Minister of Foreign and Caricom Affairs and then AG you will wrap up in response to everybody. Sen. Mark.

Sen. Mark: Yes. Mr. Chairman, seeing that we were proposing affirmative after order and that is causing a problem and these amendments are in contradiction to the very title of the legislation, I would now want to propose on behalf of the Opposition that we delete completely:

“...or such other vaccine as the Minister may by Order, prescribe.”

We are calling for the complete deletion, since the Government is not interested in an affirmative to debate it, we delete it because it is inconsistent with the legislation.

Mr. Chairman: Minister of Foreign and Caricom Affairs.

Dr. Browne: Thank you, Chair. I just wanted to respond to the assertion of Sen. Gopeesingh. What is before us is not to give any carte blanche authorization to those various categories of ancillary health care workers. That is not what is before us. What is before us is to authorize the Minister of Health. And as the Attorney General asserted, in collaboration with the Cabinet should he see fit to be able to issue an order to allow those categories to administer a vaccine where required.

And Sen. Vieira had indicated in his contribution that it would have—we are

talking about vaccines to something other than coronavirus. That is what is being anticipated here. I just want to say that it could be a Coronavirus vaccine as well. Remember what is in this Bill and what is before the country and the world right now is COVID-19. There could be a COVID-22. We do not know that. So this is really a forwardleaning futuristic attempt by the Government to ensure that there is some additional flexibility provided to the Executive that should such a scenario arise in the future, we would just have an additional facility available to the Minister of Health. So it is not carte blanche, it is not eyes closed and, you know, send them forth to vaccinate. It is not for measles or other endemic infectious diseases but for a pandemic, an urgent threat to the public health. The Minister of Health should be provided with such facilities. So I just wanted to support the acting Attorney General in this regard.

Mr. Chairman: Attorney General. Sen. Gopeesingh, I will have the Attorney General wrap up now.

Mr. Young: Thank you very much. I would just like to put on record here, Mr. Chair, I thank my colleague Dr. Browne for his intervention. But I just want to put on record here and bring us back into context, eh. There is no mandatory vaccination, let us start with that. So this concept that you are just letting these categories of people go and administer vaccines to any and everybody. That does not exist. Right now and it has been like this, apart from very young children where it is being managed, there is no carte blanche, mandatory vaccination. This is to provide for a future Government that in the case of an emergency they will have to justify it.

As I used the example in the wrapping up, God forbid some natural disaster takes place, it wipes out our existing infrastructure, et cetera, and you now need to administer a vaccine that has come up for that particular circumstance. And as

Minister Browne has just very eloquently pointed out, a Minister, an individual does not have that power to just go and add any vaccine to this list via order. It has to be a Cabinet note, it has to be a Cabinet decision, it is scrutinized by the Cabinet, it has to be supported by the medical evidence. But again, to me, the important point here is, it is not a mandatory vaccination scheme where persons will be subjected to these additional categories of people. This is really to be used in emergency circumstances. I cannot say what the future vaccines will be, because as I say, in December 2019, I certainly had no clue this is where we would be in November 2021.

So I have heard everything that all of the other Senators have contributed. I have listened to it very carefully and respectfully, so far, I disagree with the proposed suggestion of an amendment.

Mr. Chairman: So, Senators, at this point before I put the question, let me just clarify. So, Sen. Mark, you want your amendment put as a question?

Sen. Mark: Yeah.

Mr. Chairman: Sen. Richards, you also made a suggestion. Is the same applicable to you?

Sen. Richards: The suggestion is in support of Sen. Gopeesingh's amendment or Sen. Mark's amendment, sorry.

Mr. Chairman: So you are talking, so you are in agreement with Sen. Mark's—

Sen. Richards: Yes.

Mr. Chairman:—proposed amendment to delete. Okay. So let me just say to all Senators too as well that, as much as we do from time to time allow amendments to be put on the floor that these pieces of legislation are circulated well enough before we start the proceedings of debate and then committee stage, that in the future going forward if you can please try to circulate these amendments prior. It allows

for more proficiency, efficiency and more importantly, to allow all Senators to practically follow what is taking place.

Sen. Richards: Mr. Chairman—

Mr. Chairman: When we do it this way. One second. When we do it this way, it is usually where there are minor amendments where it is easy to follow the wording of what is being adjusted in the legislation. That being said, so I remind each and every Senator, please try, if it is that you have amendments, it can be done right up until the moment before committee stage to try and get these amendments circulated so that all Senators can practically follow. Somebody was saying something.

Sen. Richards: Yes.

Mr. Chairman: Sen. Richards.

Sen. Richards: Thank you, Mr. Chairman. Just to be clear, Sen. Mark actually changed the amendment. So I do not know which one he supporting.

Mr. Chairman: So he is now suggesting that the words be deleted. So that is what everybody who has made a suggestion is agreeing to. So that is the question I am going to put now. Hon. Senators, the question is that clause 2 be amended as follows:

That at clause 2, 36A (1) after the word “vaccine” the words “or such other vaccine as the Minister may by Order, prescribe” be deleted.

Question, on amendment, [Sen. W. Mark] put and negatived.

Mr. Chairman: Sen. Gopeesingh, is it—there is no explanation to be had. So the question has been put—

Sen. Dr. Gopeesingh: No. No. I am not going back there. I just want to make another—

Mr. Chairman: Oh. You want to make another amendment.

Sen. Dr. Gopeesingh: Yeah. When you look at the issue:

“A person who is registered as an Emergency Medical Technician—
Paramedic under this Act, acting under the direction or supervision of a
medical practitioner....”

I want to substitute “or” and put “and”.

...under the direction and supervision...

Mr. Chairman: Okay.

Sen. Dr. Gopeesingh: That will give some confidence.

Mr. Chairman: So, all right. Hon. Senators, the question is that clause 2 be amended as follows:

At 36A (1) after the word “direction”, the word “or” be deleted and replaced with the word “and”.

Question, on amendment, [Sen. Dr. T. Gopeesingh] put and negatived.

Clause 2 ordered to stand part of the Bill.

Clause 3.

Question proposed: That clause 3 stand part of the Bill.

Mr. Chairman: Before we move forward let me just say that all of these clauses from 3 to 7 have that particular line which we just had a robust discussion on. I do not anticipate that we are going to have that discussion for every single clause. So let me ask this question again for efficiency. Is it that you want the amendment proposed on each of those clauses as it relates to this particular line being deleted? And, Sen. Gopeesingh, that particular word being deleted to be replaced by “and”. Is it that you want that amendment proposed at each clause?

Sen. Dr. Gopeesingh: Yes.

Mr. Chairman: So be it. Hon. Senators, the question is that clause 3 be amended as follows:

After the word “vaccine”, the words “or such other vaccine as the Minister may by Order, prescribe” be deleted.

Question, on amendment, [Sen. W. Mark] put and negatived.

Mr. Chairman: That clause 3 be amended as follows:

That after the word “direction”, the word “or” be deleted and replaced by the word “and”.

Question, on amendment, [Sen. Dr. T. Gopeesingh] put and negatived.

Clause 3 ordered to stand part of the Bill.

Clause 4.

Question proposed: That clause 4 stand part of the Bill.

Sen. Dr. Gopeesingh: Mr. Chairman, if you want to put 4, 5, 6, 7 and put them together and then read it through to us we—no?

Mr. Chairman: Unfortunately we cannot do that. We have to put each one as an amendment. Again, that is why we circulate amendments prior to starting this particular procedure. So, we move forward. Hon. Senators, the question is that clause 4 be amended as follows:

That after the word “vaccine”, we remove the words “or such other vaccine as the Minister may by Order, prescribe.”

Question, on amendment, [Sen. W. Mark] put and negatived.

Mr. Chairman: Hon. Senators, the question is that clause 4 be amended as follows:

After the word “direction” coming after 51C (1), that the word “or” is being deleted and the word “and” is being added.

Question, on amendment, [Sen. Dr. T. Gopeesingh] put and negatived.

Q

Clause 4 ordered to stand part of the Bill.

Clause 5.

Question proposed: That clause 5 stand part of the Bill.

Sen. Dr. Gopeesingh: Mr. Chair, I was so taken back with this, the first issue that we had, I had made a recommendation that a medical practitioner of at least two years' experience, and if I had missed it in clauses 2 to 4, let me try to put it in as a medical—in clause 5, medical practitioner of at two years' experience. I am—somebody to supervise, eh. This is supervise, not giving a vaccine. It is supervising. And any one of us could come under that same issue. And we have a young intern, just finished, and he is not fully au courant with resuscitation and you end up dead. But a two-year doctor—

Mr. Young: Again in response to that, Mr. Chair, my understanding and I am very certain about this. In your first year of this, you are calling about qualified medical interns, in their first year they have to do courses and pass on resuscitation, on the use of medical equipment in an emergency situation, et cetera. So maybe 47 years ago it was different but that certainly is what applies now and has been applying when both Dr. Browne and Dr. Ibrahim did their requisite qualifications.

Sen. Dr. Gopeesingh: Hold on. So an intern coming out to be a house officer and registered—

Mr. Chairman: One second.

Sen. Dr. Gopeesingh: They cannot do anything.

Mr. Chairman: Let me just make sure that everybody is on the same page and that we understand what is taking place here. This particular part of the proceedings is very specific and important. Sen. Gopeesingh, there are two amendments that are being put forward now, as we go through clause by clause which has to happen by way of procedure. You are now requesting a third amendment by way of a particular wording which you need to voice so that all

Senators hear exactly what it is you are trying to amend and how it is you are proposing it is to be worded. As it relates to clause 5, please voice such requests.

Sen. Dr. Gopeesingh: Appreciated. Mr. Chair, that is very kind of you to allow me. So clause 5:

“The Dental Profession Act is amended by inserting after section 44 the following section:”

And we move to:

“A dentist or a person who is temporarily registered to practise dentistry under sections 15 and 16 of this Act, acting under the direction or supervision of a medical practitioner...”

—with at least two years’ experience—~~with at least two years’ experience—~~

“...may administer a 2019 Novel Coronavirus...”

And I am saying this because here it is you are asking a dentist or somebody, a dental intern to be supervised by a doctor who has just finished internship. So—

Mr. Chairman: So, Sen. Gopeesingh, no explanations required.

Sen. Dr. Gopeesingh: Yeah.

Mr. Chairman: AG, no response is required on that. I will put the amendment as put forward by Sen. Gopeesingh after I put forward the amendments as proposed by everyone else.

So, Hon. Senators, the question is that clause 5 be amended as follows:

After the word “vaccine”, the words “or such other vaccine as the Minister may by Order, prescribe” be deleted.

Question, on amendment, [Sen. W. Mark] put and negatived.

Mr. Chairman: Hon. Senators, the question is that clause 5 be amended as follows:

At 44A (1) after the word “direction”, the word “or” be deleted and replaced

with the word “and”. And after the word “practitioner”, the words “with at least two years’ experience” be added.

Question, on amendment, [Sen. Dr. T. Gopeesingh] put and negatived.

Clause 5 ordered to stand part of the Bill.

Clause 6.

Question proposed: That clause 6 stand part of the Bill.

Sen. Dr. Gopeesingh: Chair, the same point I made under 5.

Mr. Chairman: The same thing. The same thing. So we just—process.

Sen. Dr. Gopeesingh: Right.

Mr. Chairman: Hon. Senators, the question is that clause 6 be amended as follows:

At 13A (1) after the word “vaccine”, the words “or such other vaccines as the

Minister may by Order, prescribe” be deleted.

Question, on amendment, [Sen. W. Mark] put and negatived.

Mr. Chairman: Hon. Senators, the question is that clause 6 be amended as follows:

That after the word “direction”, the word “or” be deleted and the word “and” be added. And after the word “practitioner”, the words “with at least two years’ experience” be added.

Question, on amendment, [Sen. Dr. T. Gopeesingh] put and negatived.

Clause 6 ordered to stand part of the Bill.

Clause 7.

Question proposed: That clause 7 stand part of the Bill.

Mr. Chairman: Hon. Senators, the question is that clause 7 be amended as follows:

At 20A (1) after the word “vaccine”, the words “or such other vaccine as the Minister may by Order, prescribe” be deleted.

Question, on amendment, [Sen. W. Mark] put and negatived.

Mr. Chairman: Hon. Senators, the question is that clause 7 be amended as follows:

At 20A (1) after the word “direction”, the word “or” be deleted and the word “and” be inserted. And after the word “practitioner” the words “with at least two years’ experience” be inserted.

Question, on amendment, [Sen. Dr. T. Gopeesingh] put and negatived.

Clause 7 ordered to stand part of the Bill.

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

Senate resumed.

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

ADJOURNMENT

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Thank you, Mr. Vice-President. Mr. Vice-President, I beg to move that this House do now adjourn to Tuesday, November 23rd at 1.30 p.m. that is Private Member’s Day, Mr. Vice-President. And my understanding is that the intention is to proceed with Motion No. 7. Thank you.

Mr. Vice-President: Hon. Senators, before I put the question on the—

Sen. Mark: May I—*[Inaudible]* There is an order with Motions. He has no authority. I am saying that the Minister has no authority to tell you as the Vice-President which Motion shall be dealt with. There are seven Motions on the Order Paper; 1 is his, 2 is his, seventh is Sen. Vieira. It has to go 1, 2, 3, 4, 5, and 6. You cannot come and tell this Parliament they shall go with 7. You are totally out of place and mad.

Hon. Senators: [*Desk thumping*]

Sen. Mark: Totally out of place!

Sen. Gopee-Scoon: Sen. Mark, that is not—[*Inaudible*]

Mr. Vice-President: So, Sen. Mark—

Sen. Mark: That has to be discussed between ourselves—

Hon. Senator: Withdraw it. You have to withdraw that.

Sen. Gopee-Scoon: Yeah, but the language. [*Crosstalk*]

Hon. Senator: Yeah.

Mr. Vice-President: Okay, Members. Let me—[*Crosstalk*] Members, Members.

Sen. Mitchell: He cannot call the Minister mad—

Sen. Mark: [*Inaudible*]—crazy!

Mr. Vice-President: Members. Senator. Minister of Tourism, Sen. Mark. Minister of Trade. I am speaking and I am on my legs. Sen. Mark, as far as I understand there is an order. Sen. Vieira has the first bite of the cherry, so to speak, in relation to Private Member's Day. If the Leader of Government Business is indicating that it is Motion No. 7, I am going to assume as the presiding officer that Sen. Vieira is okay with that, and he has indicated to the Leader of the Government Business that that is what he intends to do. Sen. Mark, that is it.

7.40 p.m.

Sen. Mark: No, no, no—[*Inaudible*]

Mr. Vice-President: Sen. Mark!

Sen. Mark: [*Inaudible*]

Mr. Vice-President: Sen. Mark! Sen. Mark, take your seat!

Hon. Senators: [*Crosstalk*]

Hon. Senator: The Vice-President is on his legs.

Sen. Mark: You cannot bypass—[*Inaudible*] You cannot do that.

Sen. Mitchell: Sen. Vieira—[*Inaudible*]

Sen. Mark: No, Mr. Vice-President—

Sen. Gopee-Scoon: Sit down.

Sen. Mark: You are wrong. You are wrong.

Sen. Gopee-Scoon: [*Inaudible*]—and sit down.

Sen. Mark: No—[*Inaudible*]

Sen. Nakhid: They change up the Parliament now.

Sen. Cox: You, have respect!

Mr. Vice-President: Members, I am on my legs! Let this Chamber fall to silence. I have spoken!

Sen. Mark: You are wrong, Sir. You are wrong.

Mr. Vice-President: I have spoken, Sen. Mark!

Sen. Mark: “Buh if yuh wrong, yuh wrong”.

Mr. Vice-President: Sen. Mark, I am not asking for a debate, do not respond to me, I have spoken!

Hon. Senators: [*Inaudible*]

Mr. Vice-President: As the VicePresident of this Senate—

Sen. Nakhid: You are wrong!

Mr. Vice-President: Sen. Mark, I have spoken—

Sen. Nakhid: You are wrong.

Mr. Vice-President: —if you wish to continue with this proceedings, you will.

Sen. Nakhid: It is not a dictatorship. You are wrong!

Sen. Mark: “Yuh understand?”

Mr. Vice-President: Sen. Nakhid and Sen. Mark, you cannot be speaking to me about procedure and then, at the same time, undermining that procedure as it relates to the Standing Orders and the authority of the Chair. It will not be tolerated

Adjournment (cont'd)

at no point in time in any proceedings.

Hon. Senators: [*Desk thumping*]

Sen. Mark: [*Inaudible*]

Mr. Vice-President: Sen. Mark, I did not ask for a response.

Sen. Mark: [*Inaudible*]

Mr. Vice-President: Sen. Mark!

Sen. Mark: [*Inaudible*]

Mr. Vice-President: Sen. Mark, take your seat, I am on my legs. I am not going to repeat it.

Sen. Mark: [*Inaudible*]—and allow us to discuss the matter.

Mr. Vice-President: Sen. Mark, take your seat.

Sen. Mark: May I suggest that you—[*Inaudible*]

Mr. Vice-President: Take your seat!

Sen. Nakhid: You ought to be impartial. You have to be impartial. It is wrong what you are doing.

Sen. Mark: You have bypassed my Motion. There is an order! Whoever goes first, second, third, fourth, fifth, I have to agree. You cannot bypass me. Totally wrong! We are not in a dictatorship.

Sen. Nakhid: We are not accepting it. We are not accepting it. Throw us out. We are not accepting it. This is wrong. This is wrong.

Hon. Senators: [*Laughter*]

Sen. Lyder: They could laugh. That is how dictatorship starts.

Sen. Mark: They never—[*Inaudible*] Never.

Hon. Senator: That is how it starts. Alyuh could laugh—[*Inaudible*]

Sen. Mark: “They bypass my thing”.

Sen. Nakhid: “Alyuh mad oh wa?”

Sen. Mark: There are several Motions—*[Inaudible]* You cannot just bypass me. You are mad. You have to discuss that with me.

Mr. Vice-President: Sen. Mark.

Sen. Mark: You all discuss anything?

Mr. Vice-President: Sen. Mark.

Sen. Lyder: *[Interruption]*

Mr. Vice-President: Sen. Mark, Sen. Nakhid, Sen. Lyder.

Sen. Mark: This is crazy.

Mr. Vice-President: Sen. Mark! Hon. Senators, before I put the question on the adjournment, leave has been granted for two matters to be raised on the Motion for the Adjournment of the Senate. Sen. Vieira.

Environmental Threat to the Persistence of Civilization

(Sixth Mass Extinction)

Sen. Anthony Vieira: Thank you, Mr. Vice-President. It has been said that the ongoing sixth mass extinction may be the most serious environmental threat to the persistence of civilization because it is irreversible. Already thousands of populations of critically endangered animal species have been lost in our lifetime. This has been caused by humans and it is accelerating. Of particular worry, since insects are a vital part of the circle of life food chain, is an international survey showing that the number of insect species have declined by one-third in the last 10 years. Global insect biomass is dropping by a rate of 2.5 per cent a year, which is eight times faster than the rate for mammals, birds and other species. This is serious. Scientists are warning that at this rate, the world's insects can vanish within a century, threatening a catastrophic collapse of nature's ecosystems.

In the past three months, on the 17th of August and 10th November, the Insect Vector Control Division has sprayed for mosquitoes in my area. Yet within days,

the mosquitoes were back out in full force. The bigger problem though is that such spraying is killing good insects and beneficial pollinators. Researchers are warning about the potential for widespread environmental contamination and the need to curb the use of many insecticides. Now, I recognize that mosquitoes, besides being irritating, can spread diseases like dengue, Zika and malaria, and there are often calls from members of the public for the Insect Vector Division to carry out spraying. But I also know that because of the mosquito's life cycle, spraying is not just ineffective, it is actually counterproductive and that is not my lay opinion. Experts all agree that the benefits of mosquito spraying are short-lived at best and ultimately do more harm than good. In a talk on the "Ineffectiveness of Pesticides at Controlling Mosquito Populations" by the Gateway Green Alliance on toxins on 05 February, 2003, at the forum on "Pesticides in...St. Louis", this is what the experts had to say:

"What do advocates of pesticides spraying say when confronted with the dangers of these chemicals?"

And:

"The pat answer is: 'We do everything we can to reduce mosquitoes; but there are always some left and you have to get them with sprays.' Statements like these assume that pesticide sprays reach mosquitoes." But when— "...virtually none of the spray makes it to mosquitoes, the argument has no merit. This is, in fact, the case. Spraying pesticides either has no long-term effect on mosquito populations or results in an increase in their numbers.

Cornell University Professor David Pimentel..."—after having reviewed—"published research on pesticide sprays...concluded that the average for all pesticides is that less than 0.1 per cent reaches"—the—"target..."

Indeed, information presented so far demonstrates that mosquito spraying is

a waste of time, money and effort. It does not and cannot reduce the number of mosquitoes for more than a few days following spraying, if that.

Ironically, besides deluding ourselves about the benefits of mosquito spraying, it turns out that spraying is associated with an increase in mosquito populations through the unintended but reckless killing of mosquito predators like dragonflies, ladybugs, fish and several types of birds. Bats eat up to 1,000 mosquitoes a night and dragonflies, the natural predator for mosquitoes, eat them at all stages of life. An individual dragonfly can eat hundreds of mosquitoes each day. But when we kill these beneficial animals and insects through indiscriminate and ineffective spraying, we are inadvertently helping mosquitoes. Many of these pesticides are toxic to fish like guppies who, unlike mosquitoes, do not replenish as quickly. When the natural predators of mosquitoes are killed as collateral damage, we enable the next generation of mosquitoes to come back in even greater numbers.

It is also painful to consider the harm done to our pollinators like bees and butterflies. When bees and other pollinators like wasps and butterflies die, it puts a serious dent on our biodiversity and it also going to create problems for food security and our ability to grow certain crops, given that 87 per cent of plants require pollinators to reproduce and a third of our food crops require pollination. The variety of insect, plant and animal life is capital we cannot afford to lose. They are key components of the web that supports us. When was the last time you saw ladybugs and fireflies? When the agricultural sector was reeling from the mealybug menace, we had to import ladybugs to deal with the problem. And today, you cannot find the ladybugs. What we are routinely doing to these insects and animals is wrong. A wrong made worse by the fact that they are being killed in vain, in effect just to give citizens a false sense of comfort. It has been said that:

“The production of pesticides is part of a vast military-industrial complex that sees killing things as a basic problem-solving strategy. As it seeks to dominate and subdue nature...repeatedly bring disasters which dwarf the original problem.”

And this is leading to global warming. We have to be better stewards of the environment. Our insect populations are under siege and if they go under, it will not be good news for humanity. It is time to stop the ineffective use of mosquito spraying. Protecting our biodiversity and combating climate change, now existential issues must take priority. Global warming is an important factor to consider, as global warming is going to accelerate and intensify the mosquito problem. Any mosquito control programme that ignores global warming will be an exercise in futility. If mosquito spraying is allowed to continue, matters will only get worse.

Mosquitoes are going to breed more rapidly, they are going to become more active and the pathogens inside mosquitoes are going reproduce and mature at a more rapid rate. It is time to take stock. If we are serious about protecting public health, we need to urgently shift focus and direction. We cannot afford to underestimate the seriousness of this problem because misperception and misapplication of mosquito spraying does not take place in a silo. The negative effects do not occur in isolation. In his address to the global community at COP26, Prime Minister Rowley said that we must work for the survival of all species and not choose extinction. His commitment should not fall on deaf ears. By stopping the harmful practice of mosquito spraying, we will be taking a small but important step towards working for the survival of all species. I thank you.

Hon. Senators: [*Desk thumping*]

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

Rambharat): Thank you, Mr. Vice-President. Mr. Vice-President, it may surprise you to know that I can agree with Sen. Vieira while disagreeing with the Motion. The Ministry for which I have responsibility happens to sometimes come on the receiving end of spraying in relation to our bee population and generally the insect population. We sometimes suffer the effects of it when there is no notification to our beekeepers.

But, Mr. Vice-President, it is a question of striking the appropriate balance. And if we look at the data, two things stand out: the first is that from 2014 to 2021, there were approximately 10,000 suspected cases of dengue, and I am using dengue as one example. There were 10,000 suspected cases. And during that period, the confirmed deaths from dengue were just four. During the period 2018 to 2021, the deaths were actually zero and that had to do with the fact that suspected dengue cases moved from 5,517 in 2014 to 10 by June 2021. So I agree with Sen. Vieira that spraying can have negative effects, particularly in relation to agriculture. But the use of spraying in Trinidad and Tobago is not new and has been very successful. The use of spraying is part of a regime from 1943 and led in 1965—by 1965 by the WHO declaring that Trinidad was malaria free. The use of spraying is in accordance with the WHO guidelines, including the most recent guidelines of 2019, which calls for countries to use resources for the efficient, cost-effective and sustainable vector control programme. The Centers for Disease Control recommends a combination of some traditional methods:

- Removing the places where mosquitoes lay;
- Destroying the mosquitoes before they can become dangerous; and third
- Killing the adult mosquitoes which means, in most cases, spraying.

I should point out, however, that Trinidad and Tobago has for several years not been using aerial spraying, recognizing the significant damage that could be caused, notwithstanding the benefits.

So, Mr. Vice-President, since 1943, Trinidad and Tobago has used different control measures of which spraying is one, and non-chemical measures are the second one, including cleaning, continuous inspections, education programmes, monitoring and penalties that are in place, and I must admit not always enforced, in relation to those owners of properties and those persons who do not take the appropriate measures to destroy the places where mosquitoes can breathe and where mosquitoes can lay.

So I close by saying, the data has shown, particularly in the period 2014 to 2021, that while during the previous years, 2014, '15 and '16, the suspected dengue cases, to use one example, were significant. The recent data shows a significant reduction to the point that for the year 2021, up to June, there were just 10 suspected cases and since 2018, we have not had a confirmed death as a result of a mosquito-borne disease. Thank you very much.

Hon. Senators: [*Desk thumping*]

**Customs Clerks' and Customs Brokers' Association
(Failure to Appoint Board Nominees)**

Sen. Wade Mark: Thank you, Mr. Vice-President. Mr. Vice-President, I have brought this Motion dealing with the failure of the Minister of Finance to appoint three nominees to the board of the Customs Clerks' and Customs Brokers' Association, and the negative impact of said action on the operations of the said association. Mr. Vice-President, for 10 long months, the Customs Brokers' Board, the members of that board were not appointed. The Minister of Finance who is conscious that under section 3(1)(b) of the Act, which is the Customs Brokers and

Customs Clerks Act, that it reads, Mr. Vice-President: “There is hereby established the Customs Brokers’ Board, hereinafter called ‘the Board’, which shall consist of the Comptroller and six other members appointed by the Minister...”

And you have:

“(a) three person nominated by the Minister and drawn respectively from—

- (i) the department of Customs and Excise;
- (ii) the Federated Chambers of Industry and Commerce; and
- (iii) the Shipping Association;”

So the Minister carried out that responsibility. When it came to (b):

“three members of the Customs Clerks’ and Customs Brokers’ Association nominated by...”—the—“association...”

—the Minister, Mr. Vice-President, decided to inform these customs clerks and customs brokers, “You see those appointees that you have sent? I doh like them. Withdraw them.” The Minister literally wanted to lecture and instruct the customs brokers and customs clerk as to who their nominees would be.

Now, what this essentially meant, Mr. Vice-President, is that after several attempts to have their nominees accepted by the Minister and every time it was submitted, the Minister through its Permanent Secretary vetoed, vetoed and vetoed the appointments.

Now, Mr. Vice-President, the Minister cannot, under the law, reject the nominees put forward by the association. This is lawbreaking. It is lawlessness on the part of the Minister of Finance where, Mr. Vice-President, the law says only the association can nominate their members. The law does not provide for the Minister to nominate the members of the board. We know where the Minister comes in, I pointed out that to you a short while ago. So what I found very strange when this matter was drawn to my attention, I said, Mr. Vice-President, what is

going on here? And I have another Motion coming up very shortly where the same thing was done with the trade union movement, but I will deal with that when that time comes.

So, Mr. Vice-President, this Minister of Finance and this Government believed that they can do whatever they want and whatever they like. But I want to let the Minister know and this Government know, you cannot do what you want. We will not facilitate you doing what you want. This is not a dictatorship, Mr. Vice-President. So, Mr. Vice-President, the Minister knew I was bringing this today, so you know what he did? Hastily, he “beated” a retreat, and I understand recently he appointed or he is about to appoint the three nominees. But for 10 months, the Minister refused to appoint these nominees because he just refused to accept the nominees of the association. He must explain why. He must explain why he did that. Mr. Vice-President, as a result of him, that is the Minister of Finance, bluntly refusing to appoint these nominees, important matters relating to the proper functioning and advancement of that board became almost—well, actually were at a standstill. And this, Mr. Vice-President, adversely impacted on the operations of Shipping Association, the Chamber of Commerce, and of course, the Customs and Excise—Customs Clerks’ and Customs Brokers’ Association.

Mr. Vice-President, let me tell you some of the things that happened. Because of the fact that the Minister refused for 10 long months to appoint the nominees to that association, exams that were normally held in April and October of each year were affected. The results of these exams not being held, of course the board not being appointed, the board could not have dealt with those exams, and even the results of a previous exam that they would have set. And as a result of the Minister’s refusal, they could not even schedule new exams for this year. And there is an apprenticeship programme that they also run which was also

undermined as a result of the Minister's action, Mr. Vice-President, and that employment opportunities went a begging as a result of this.

So, Mr. Vice-President, this action by the Minister of Finance, which is inexcusable, indefensible, unacceptable, hampered the operations of this organization's operations and the Minister owes an apology to the association, Customs Clerks' and Customs Brokers' Association, for his action. But it is a pattern of conduct that we have witnessed that this Government has undertaken because they believe they are living in maybe some other land. But I want to remind them, they are living in this land called Trinidad and Tobago. There is a sovereign democratic state, this State, and we have a Constitution and we are governed by the rule of law. This is not a dictatorship and therefore, we will not permit the Minister of Finance or any member of his Government to deny citizens their rights in this country. And because he knew I was coming here today to discuss that, he ran hastily, the Minister, and appointed the nominees because he knew what was coming.

But, Mr. Vice-President, I want to give him a warning, and the Government, that if they continue how they are going, they will pay a heavy price for that undermining of the rule of law and democracy in our country, and violating the human rights of the citizens of this country. So we send a warning across the bound that let them continue on this course and they will have to meet us, the UNC—we will confront them, we will deal with them. Thank you, Mr. Vice-President.

Mr. Vice-President: Minister of Finance.

Hon. Senators: [*Desk thumping*]

The Minister of Finance (Hon. Colm Imbert): Thank you, Mr. Vice-President. Long before the Senator even contemplated filing this matter, this matter was

addressed. The board is fully appointed. Thank you.

Hon. Senators: [*Desk thumping*]

Sen. Mark: “Yuh geh licks that is why yuh say that. Licks. Yuh get licks.”

Hon. Senators: [*Laughter*]

Sen. Mark: And let him try—[*Inaudible*]

Mr. Vice-President: Sen. Mark, Sen. Mark, Sen. Mark, can I put the question, please?

Sen. Mark: “Licks he get”—[*Inaudible*]

Mr. Vice-President: Sen. Mark!

Sen. Mark: [*Inaudible*]

Mr. Vice-President: There is no need—

Sen. Mark: That why he say that, Mr. Vice-President.

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 8.08 p.m.