

**SENATE**

Wednesday, December 15, 2021

The Senate met at 10.00 a.m.

**PRAYERS**

[MADAM PRESIDENT *in the Chair*]

**LEAVE OF ABSENCE**

**Madam President:** Hon. Senators, I have granted leave of absence to Sen. The Hon. Avinash Singh and Sen. The Hon. Dr. Amery Browne who are out of the country.

**SENATORS' APPOINTMENT**

**Madam President:** Hon. Senators, we will revert to this Item of Business later in the proceedings.

**FINANCE (NO. 2) BILL, 2021**

Bill to make provisions of a financial nature and other related matters [*The Minister of Finance*]; read the first time.

*Motion made:* That the next stage be taken forthwith at a later stage of the proceedings. [*Hon P. Gopee-Scoon*]

*Question put and agreed to.*

**PETITIONS****Request for a Change of Name****(Sorooptimist Club of Port of Spain)**

**Sen. Jayanti Lutchmedial:** Madam President, I beg to present a petition on behalf of the members of Sorooptimist Club of Port of Spain of No. 15 Nepaul Street, St. James, Port of Spain.

I move that the Clerk be allowed to read the petition.

*Question put and agreed to.*

*Petition read.*

*Question put and agreed to:* That the petitioner be granted leave to proceed.

**Request for a Change of Name**

**(Trinidad and Tobago Association for Retarded Children)**

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

Madam President, I beg to present a petition on behalf of the members of Trinidad and Tobago Association for Retarded Children of Lady Hochoy Home, Harding Place, Cocorite.

I move that the Clerk be allowed to read the petition.

*Question put and agreed to.*

*Petition read.*

*Question put and agreed to:* That the petitioner be granted leave to proceed.

**Request for *Hansard* for Use in Court Proceedings**

**The Minister in the Office of the Attorney General and Legal Affairs (Sen.**

**The Hon. Renuka Sagrarsingh-Sooklal):** Madam President, I beg to present a petition on behalf of Ms. Hynia Harrikissoon, attorney-at-law of the law offices of Harrikissoon and Company, No. 3, Lewis Street, Paradise, San Fernando.

I move that the Clerk be allowed to read the petition.

*Question put and agreed.*

*Petition read.*

*Question put and agreed to:* That the petitioner be granted leave to proceed.

**PAPERS LAID**

1. Sessional Report of the First Session (2020/2021), Twelfth Parliament of the Republic of Trinidad and Tobago. [*The Vice-President (Sen. Nigel de Freitas)*]

2. Summary Courts (Appeals Against Fixed Penalty Notices Issued Under the Public Health Regulations) Rules, 2021. [*Sen. The Minister of Trade and Industry (Sen. The Hon. Paula Gopee-Scoon)*]
3. Civil Proceedings (Amendment) Rules, 2021. [*Sen. The Hon. P. Gopee-Scoon*]
4. Public Procurement and Disposal of Public Property (Record of Proceedings) (No. 2) Regulations 2021. [*Sen. The Hon. P. Gopee-Scoon*]
5. Public Procurement and Disposal of Public Property (Challenge Proceedings) (No. 2) Regulations, 2021. [*Sen. The Hon. P. Gopee-Scoon*]
6. Public Procurement and Disposal of Public Property (Ineligibility Proceedings) (No. 2) Regulations, 2021. [*Sen. The Hon. P. Gopee-Scoon*]
7. Public Procurement and Disposal of Public Property (Retention and Disposal of Personal Property) (No. 2) Regulations, 2021. [*Sen. The Hon. P. Gopee-Scoon*]
8. Public Procurement and Disposal of Public Property (Miscellaneous) (No.2) Regulations, 2021. [*Sen. The Hon. P. Gopee-Scoon*]
9. Public Procurement and Disposal of Public Property (Evaluation) (No. 2) Regulations, 2021. [*Sen. The Hon. P. Gopee-Scoon*]
10. Public Procurement and Disposal of Public Property (Participation in Procurement) (No. 2) Regulations, 2021. [*Sen. The Hon. P. Gopee-Scoon*]
11. Public Procurement and Disposal of Public Property (Pre-Qualification and Pre-Selection) (No. 2) Regulations, 2021. [*Sen. The Hon. P. Gopee-Scoon*]
12. Public Procurement and Disposal of Public Property (Procurement Methods and Procedures) (No. 2) Regulations, 2021. [*Sen. The Hon. P. Gopee-Scoon*]
13. Public Procurement and Disposal of Public Property (Procurement of Consultants) (No. 2) Regulations, 2021. [*Sen. The Hon. P. Gopee-Scoon*]

14. Ministerial Response of the Ministry of National Security to the Third Report of the Public Administration and Appropriations Committee 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 Retires, Public Officers and Contracted Employees. [*Sen. The Hon. P. Gopee-Scoon*]
15. The Ministerial Response of the Ministry of Foreign and CARICOM Affairs to the First Report of the Joint Select Committee on Foreign Affairs on an Examination of the Foreign Policy of Trinidad and Tobago, First Session (2020/2021), Twelfth Parliament. [*Sen. The Hon. P. Gopee-Scoon*]

### **URGENT QUESTIONS**

#### **Increase in the Price of Cement**

##### **(Government's Measures)**

**Sen. Wade Mark:** Thank you, Madam President. To the Minister of Trade and Industry: In light of the recent announcement by Trinidad Cement Ltd (TCL) of an increase in the price of cement, can the Minister indicate what measures are being put in place by the Government to protect the interest of the public?

**The Minister of Trade and Industry (Sen. The Hon. Paula Gopee-Scoon):** Thank you very much, Madam President and thank you very much for that question as it could never be too many instances in which we seek to inform the public about matters such as these, so thank you. And a learning from the local manufacturer that they intended to increase the price of locally-manufactured cement, immediately the Cabinet of Trinidad and Tobago took a decision that the Ministry of Trade and Industry should approach the COTED, which is the Caricom agency that is responsible for trade and economic development, in order to seek a suspension of other hydraulic cement from 50 per cent which, as we know it,

which will end in December 2021, end December, to 20 per cent beginning January 2022 and ending December 2022.

In addition, there is an existing quota on import licensing regime for cement and that is all types of cement in Trinidad and Tobago which, at the moment, is 75,000 tonnes of cement, we will expand that. The decision was again taken by Cabinet to 150,000 tonnes of cement and that is effective January 2022.

I would hasten to add that the Government sought to bring relief to the citizenry of Trinidad and Tobago and bearing in mind that of course competition will keep the market in check and therefore prices would remain the lowest possible with the entry of extra regional cement into the country. Again, we recognize the importance of keeping the price of cement at the lowest possible for the construction industry understanding the connection between the manufacturing of cement and the construction industry. Thank you.

**Madam President:** Sen. Mark.

**Sen. Mark:** Yes. Madam President, through you, can the Minister indicate to this honourable Senate, given the 50 per cent price as it relates to the suspending of hydraulic cement to 20 per cent, and the quota increasing to 150,000 tonnes of cement, can the Minister indicate how would the 15 per cent increase in TCL be reflected in the new prices of cement given these initiatives taken by the Ministry of Trade and Industry, Madam President?

**Madam President:** Minister.

**Sen. The Hon. P. Gopee-Scoon:** Thank you. A little bit of issues in there but I would, again, explain. So the 50 per cent CET, common external tariff, will end at the end of December and what will be in place is the 20 per cent tariff, common external tariff. It is impossible for Government to indicate exactly what the price would be but what is likely to happen is that you would have those authorized

licensors under the quota regime to now move to bring cement in and that cement will enter the market at 20 per cent and as I said before, what is likely is that that competition will keep the market in check and keep the price of cement low with the relative competition being in place.

**Sen. Mark:** Madam President.

**Madam President:** Sen. Mark, yes.

**Sen. Mark:** May I also ask, through you, to the hon. Minister, given these initiatives taken by the Government, to what extent the Minister is anticipating the encouragement of other players to get into the local cement market to at least prevent or to at least challenge what currently exists as a monopoly in the industry at this current time?

**Madam President:** Minister.

**Sen. The Hon. P. Gopee-Scoon:** Thank you. The Government will encourage any players to get involved in the manufacturing of local cement. We would welcome any new entrance into manufacturing cement.

With regard to importing cement, one would recognize that there is currently a quota on import licensing regime in Trinidad and Tobago and that there are five companies that are registered under that licensing regime. So there are presently five registered importers. Thus far, for 2021, only one of the five registered importers has brought any cement for the 2021 period thus far. What can happen is that the other four would join understanding the market to be open much more, the other four are likely to join in with the importing of cement as well. Seeing what is going on in the region, I can tell you that there is interest in the region as well for the further manufacturing of cement in the region.

**Sen. Mark:** Okay.

**Reports of Contaminated Meat**  
**(Steps taken to protect Consumers)**

**Sen. Wade Mark:** Thank you, Madam President. To the Minister of Agriculture, Land and Fisheries: In light of recent reports of dairy farmers warning consumers about the purchase of contaminated meat, can the Minister outline the steps being taken to protect consumers?

**Madam President:** Acting Leader of Government Business.

**The Ministry of Trade and Industry (Sen. The Hon. Paula Gopee-Scoon):** Thank you very much and I answer on behalf of the Minister of Agriculture, Land and Fisheries to say that the Ministry of Agriculture, Land and Fisheries is not directly responsible for addressing reports of contaminated meat as it is a public health matter. The Animal Production and Health Division of the Ministry of Agriculture, Land and Fisheries will normally receive reports of diseases in live animals only, and at present there are no reports that have been received. However, as I said before, there is no formal report from the dairy farmers as it relates to the possibility of contaminated meat on the market. Again, it is a public health matter, notwithstanding the Ministry of Agriculture, Land and Fisheries is working with the Ministry of Health specifically the veterinary public health division on working with farmers to ensure that the animals on farm are healthy by routine inspections.

What is usually the case, if an animal is suspected, the Ministry of Agriculture, Land and Fisheries will alert the Ministry of Health or vice versa to provide the necessary assistance as it relates to the treatment and disposal of carcasses when necessary and of course, proper disposal under strict protocols ensures that suspected contaminated meat does not enter the market. But I would say specifically, Sen. Mark, that the Consumer Affairs Division of the Ministry of Trade and Industry will also take the responsibility in further informing via the

social media and the print media of this particular circumstance in which you speak in terms of stolen meat and that responsibility will remain the responsibility of the Government to ensure the health and safety of the consumers.

**Madam President:** Sen. Mark.

**Sen. Mark:** Yeah, Madam President, could the Minister indicate whether she is aware of the Ministry of Health launching any enquiry or investigation into this development concerning the possible contamination of meat being placed on the market which consumers will have access to? Can the Minister clarify, Madam President?

**Madam President:** Minister.

**Sen. The Hon. P. Gopee-Scoon:** Yes, please, and yes, the Ministry of Health is involved and researching the particular matter at hand and taking responsibility to ensure that the public is aware of the particular circumstance. At the end result, we want to ensure that no contaminated meat will reach the hands of the consumers.

**Sen. Mark:** Madam President, can I ask the hon. Minister what specific measures she can share with us as to the steps that her Ministry, that is the hon. Minister's Ministry, with responsibility for consumers affairs will pursue in an effort to enlighten and educate the public as to the existence in the market of possible contaminated meat? What measures will be taken by the consumer Division?

**Madam President:** Sen. Mark, the time for Urgent Questions has just finished. Okay? Acting Leader of Government Business.

### **ORAL ANSWERS TO QUESTIONS**

**The Minister of Trade and Industry (Sen. The Hon. Paula Gopee-Scoon):** Thank you very much, Madam President. The Government is pleased to advise that we are in a position to answer all oral questions. Thank you.

**10.30 a.m.**



**Madam President:** Attorney General.

**ORAL ANSWERS TO QUESTIONS**

**Petrotrin Board of Directors**

**(Failure to Meet High Court Application Deadline)**

**8. Sen. Wade Mark** asked the hon. Attorney General:

Can the Minister advise why the Board of Directors of Petrotrin failed to meet the June 30, 2021 deadline to decide whether to file an application to the High Court to set aside the results of the approximately \$1Bn arbitration award to A&V Oil and Gas Limited or to pay said award?

**The Attorney General and Minister of Legal Affairs (Hon. Faris Al-Rawi):**

Good morning, Madam President. Thank you, Madam President. I am pleased to answer question 8, as posed by the hon. Senator.

Madam President, this question is premised upon two serious false premises and/or inaccuracies. Firstly, that there was a deadline for appeal of the arbitral award. And secondly, that the award was for approximately TT \$1 billion. In addressing the question in this context, I can inform that the board of Petrotrin took time to seek and consider advice, not only from Petrotrin's legal team but also from two eminent Senior Counsel, one of whom is local Senior Counsel in the person of retired Justice of Appeal and retired CCJ Judge, Mr. Justice Rolston Nelson SC, and the other of whom is an internationally renowned specialist silk in construction and energy matters in the person of Mr. Simon Hughes QC. Once that advice was received, the board, on the 2<sup>nd</sup> of July, 2021, agreed to explore the possibility of settlement with AV Oil. For the record, Madam President, I ask you to note, that the 30 June, 2021, was not any date that Petrotrin was obliged to meet, as the question wrongly posits. I am informed that the Minister of Energy and Energy Industries will, in the new year, make a statement to the Parliament on the

full extent of this matter and will lay in the Parliament in support of same, documentation that is relevant to this matter.

**Madam President:** Sen. Mark.

**Sen. Mark:** Can the hon. Attorney General advise whether he can provide us with an appreciation, at this time, as to the quantum, the ultimate quantum of moneys that will be awarded to this company A&V Oil and Gas Ltd?

**Madam President:** Attorney General.

**Hon. F. Al-Rawi:** Madam President, I wish the hon. Member to take notice that Petrotrin issued a public statement on September 21, 2021, that was widely carried in every single media house and published in the newspapers and published online. As I said before, the hon. of Minister of Energy and Energy Industries will provide a full statement. What I can say, Madam President, as I am sure Sen. Mark is well aware, there was a partial award made by the tribunal. And Madam President, it is noteworthy that that tribunal was a unanimous tribunal where Lord David Hope of the Privy Council; Sir Dennis Byron, ex-President of the CCJ, and Mr. Justice of Appeal (Retired) Humphrey Stollmeyer, together came up with a unanimous award where the partial award of damages then was TT\$18 million, apart from sums that were being held in escrow. This matter is ongoing before the arbitral position as it relates to costs and other measures. And as I have said before, and has been publicly set out in the public domain, in full particular fashion, the Minister of Energy and Energy Industries will lay in this Parliament and will provide a statement on the four corners of this issue, so that we are not the victims of misguided questions such as the ones put this morning.

**Madam President:** Sen. Mark.

**Sen. Mark:** Madam President, can the hon. Attorney General indicate in the statement that is to be made in the future, whether the Government will be

providing the legal opinions given by the two eminent personalities earlier identified by the Attorney General?

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

**Sen. Mark:** Can the hon. Attorney General indicate whether, in the final analysis the cost of this award could reach close to \$1 billion?

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

**Sen. Mark:** Can the hon. Attorney General indicate when will the final settlement be arrived at, in the context of the statement that the Minister is intended making to the Parliament in due course, hon. Minister?

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

### **People's Republic of China and Trinidad and Tobago**

#### **(Loan Agreement)**

17. **Sen. Wade Mark** asked the hon. Minister of Finance:

Having regard to May 2021 reports of a loan agreement between the Governments of the People's Republic of China and Trinidad and Tobago for approximately US\$204 m, can the Minister advise when will said loan agreement be tabled in the Parliament?

**The Minister of Finance (Hon. Colm Imbert):** Thank you, Madam President. The terms and conditions of the proposed loan with the China Development Bank are still being finalized.

**Madam President:** Sen. Mark.

**Sen. Mark:** Can the hon. Minister indicate when this loan was, the loan agreement or proposed loan agreement, the discussions begun, Madam President?

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

**Sen. Mark:** Madam President, can the hon. Minister indicate when will this loan

agreement amounting to US \$204 million, will be concluded?

**Madam President:** Minister.

**Hon. C. Imbert:** Soon.

**Sen. Mark:** Could the hon. Minister indicate whether US \$25 million was spent or allocated for the importation of Sinopharm vaccines as part of this agreement amounting to US \$204 million.

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

**Sen. Mark:** Can I ask the hon. Minister when agreement is finally arrived at, whether the Government will table in the Senate for public consumption, the terms and conditions of the agreement—

**Madam President:** Minister—I am sorry. Sen. Mark.

**Sen. Mark:**—inclusive of the agreement governing the terms and conditions of the Sinopharm vaccine agreement?

**Madam President:** No, Sen. Mark, the question speaks specifically to a loan agreement. So can you confine your supplemental to the loan agreement please? Yeah? Minister.

**Hon. C. Imbert:** Precisely, Madam President. It is the practice to lay finalized loan agreements with international bodies in the Parliament in due course. So, the answer to that question obviously is yes.

The other part about Sinopharm is absurd, because the agreement has not yet been signed. So how could there be payment out of an agreement that is not completed? That is an absurd question.

**Madam President:** Next question, Sen. Mark.

**Sen. Mark:** Do I have a final supplement?

**Madam President:** No, you have used up all four. Next question.

**Reports of Price Gouging  
(Mechanisms to be Implemented)**

**18. Sen. Wade Mark** asked the hon. Minister of Trade and Industry:

Given reports of “price gouging” by private sector businesses in respect of basic and essential goods, can the Minister state what concrete mechanisms will be implemented to protect consumers?

**Madam President:** Ministry of Trade and Industry.

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

Thank you very much, Madam President. In September 2021, the Food and Agriculture Organization’s Food Price Index revealed that since September 2020, food prices globally have escalated by approximately 30 per cent, reaching levels not seen since 2011. And according to the Central Bank of Trinidad and Tobago, July 2021, *Economic Bulletin*, the average growth in food inflation over the first six months of 2021 was 2.8 per cent. However, more recent data from the Central Bank online database reveals that food price inflation was 4.9 per cent year on year in July 2021, and 5.7 per cent in September 2021. Notably, the inflation that Trinidad and Tobago experienced was imported inflation since Trinidad and Tobago imports food and other consumer products from the international trading partners, and several supply side factors have caused prices to rise internationally.

Based on the tracking of the Central Bank of Trinidad and Tobago’s retail price index, which shows how the basket of goods price changes over time, it can be said that the inflation is relatively moderate and not indicative of ongoing price gouging in Trinidad and Tobago.

In comparison, the inflation rate for the United States of America in November 2021 was 6.8 per cent, which is the biggest surge in inflation in nearly 40 years.

For Canada, it was 4.1 per cent, the highest monthly inflation since March of 2003. And the United Kingdom, it was 3.2 per cent, the biggest jump since records began in 1997. Within the Caribbean region, many countries are also experiencing high inflation levels. For instance, in Barbados, headline inflation was 5.88 per cent in May 2021. And in Jamaica, headline inflation was 4.3 per cent in June 2021. In contrast, headline inflation in Trinidad and Tobago was 1.6 per cent in September 2021.

Looking, Madam President, at the factors contributing to the rising prices of essential and basic goods globally, the COVID-19 pandemic has led to increases in food prices internationally and affected prices of some goods locally on account of the following factors: disruption in supply chains on account of early quarantine and lockdown measures during the pandemic; shortage in shipping containers, which has caused an increase in freight shipping rates and transportation costs. Data from the United Nations Conference on Trade and Development, UNCTAD: April 2021, policy brief reported that some ocean freight rates have increased by as much as 443 per cent since the start of the pandemic in 2020.

Also, another factor contributing to rising prices is adverse weather conditions such as floods and wild fires in major agriculture and food-producing countries, including the United States, Canada, Australia and the European countries. These conditions have negatively affected crops, causing a rise in food prices and also a decline in industrial output in leading economies such as China and Europe.

Government has been working proactively to monitor and address rising food prices. And during fiscal 2021, the Government implemented the following measures to address rising prices: the zero rating of basic food items. VAT was removed on an expanded list of food items as announced in the fiscal 2022 national

budget presentation, which included: vegetable soya bean oil, olive oil, coconut oil, canola oil, ghee, peanut butter, black pepper and other spices, cereals, condensed milk and milk substitutes, instant and ground coffee, black and green tea, orange and apple juice, bottled water, seasoned meat and pigtail, canned sausages, tuna, mackerel, peas, beans, corn, and mixed vegetables, mayonnaise, ketchup, roti skin, packaged soups, soya chunks and minced ground dhal, cheese slices, table butter, ham and turkey slices, chicken luncheon meats, bologna and biscuits and crackers. And these items now form part of the list of items under Schedule 2, zero rating at the Value Added Tax Act and has brought relief to all consumers.

In addition, the Government also pursued the suspension of the CET on a list of over 20 basic items and these items include salted fish and canned fish, apple juice, cheddar cheese, canned corned beef, milk and cream, refined sugar, preparations for infant use and soya bean, and other types of oil for cooking. And this initiative will help to keep those items affordable for consumers.

The Government—

**Madam President:** Your time is up, Minister.

**Sen. The Hon. P. Gopee-Scoon:** Thank you.

**Madam President:** Sen. Mark.

**Sen. Mark:** Madam President, given all the initiatives outlined by the hon. Minister, to address rising food prices and price gouging, could the hon. Minister indicate what other initiatives will the Ministry be looking at implementing to ease the burdens that are placed on the shoulders of a population that is relentlessly struggling to put food on their tables for their families. Can the hon. Minister indicate what other initiatives will be taken by her Government to address the matter?

**Madam President:** Minister.

**Sen. The Hon. P. Gopee-Scoon:** Thank you again, Madam President. And I would hasten to add to the position just advocated by the hon. Minister that, based on the Central Bank of Trinidad and Tobago's retail price index, it can be said—which shows how the basket of goods price changes over the time, it can be said that the inflation is relatively moderate and not indicative of ongoing price gouging in Trinidad and Tobago.

I would hasten to add as well that Government has also undertaken other initiatives, including the increased supply of foreign exchange via the EximBank, and that is both to manufacturers, also to importers of basic food items, including food and other essentials like pharmaceuticals as well.

There is also the agriculture stimulus package, where the Government has implemented and will continue to implement this \$500 million agriculture stimulus package.

Again, linkages are also being strengthened to grow greater synergies between the industry, the manufacturing and the domestic agricultural sector. So, there are a number of other initiatives including support for import substitution of particular items, and also the continuing food monitoring of food prices by the Consumer Affairs Division. Also, through the Ministry of Social Development and Family Services, there are a number of initiatives that are available for those less fortunate. Again, and also through the Ministry of Agriculture, Land and Fisheries, a number of food packages have been prepared in 2021 and I no doubt understand that they would continue to assist where possible by providing food packages where necessary, vegetable food boxes, and so on, as they have so successfully done within 2021.

**Madam President:** Sen. Mark.

**Sen. Mark:** Yeah, Madam President, the Minister addressed zero rated some 30



something zero rated items and another 20 that experienced some positivity as a result of the suspension of CET. Can the hon. Minister indicate, Madam President, through you, whether it is the intention of the Government, in this season of good will and peace upon men and women to examine the further zero rating of food items, which currently, as you know, Madam President, stands at 7,000. Can the Minister indicate to you and through you, to the Senate, whether it is the intention of the Government to further embark upon zero rating many more food items that are currently out of the reach of the ordinary people of Trinidad and Tobago?

**Madam President:** Minister.

**Sen. The Hon. P. Gopee-Scoon:** Thank you very much. The government was pleased to put in place those measures that we spoke of. The 7,000 that you spoke of, which you used, that is, you which you spoke of, that the last government may have introduced, included a number of luxury food items. What we have done on this side, is that we have put in place measures to include items that the average citizen would have in their food basket and would ordinarily purchase from the supermarkets.

In addition, again, I did not speak enough about it but the Ministry of Social Development and Family Services will continue to provide where the respective citizens qualify, enough relief as is possible and they will continue with their programmes their myriad of programmes that are available for the citizens who are less fortunate.

**Madam President:** Sen. Mark.

**Sen. Mark:** Is the Minister aware that given rising food prices, as well as real GDP decline per capita in on our country, that many, many consumers are experiencing great challenges in purchasing food at the grocery and supermarket owing to the escalating prices that they have to face on a daily and weekly basis?

Is the Minister aware of this challenge facing consumers on a daily basis in our country?

**Madam President:** Minister.

**Sen. The Hon. P. Gopee-Scoon:** Thank you very much. The Government has, in 2021, executed several initiatives that will benefit the citizens of Trinidad and Tobago, with regard to responding to food prices and the challenges that that may cause. In addition to which, I emphasize again that the Ministry of Social Development and Family Services, the Ministry of Agriculture, Land and Fisheries, have responded effectively in ensuring that the needs of the most vulnerable in particular, have been met and we will continue to monitor, Ministry of Finance, the Ministry of Trade and Industry, through the Consumer Affairs Division. We are adopting a whole of government approach in ensuring that, as far as is possible, in these trying economic times, that we are able to meet the needs and answer to the call of the citizens of Trinidad and Tobago.

**Madam President:** Next question. You have one more question? Sure.

**Sen. Mark:** Yes. Madam President, through you, can I ask the hon. Minister whether her Ministry, in conjunction with other Ministries have conducted any surveys to determine the extent of the rising poverty, starvation and malnutrition affecting populations, segments of our population as a result of rising food prices in our country? Has the Ministry conducted—

**Madam President:** Sen. Mark, you asked question. There is no need to repeat it. Minister.

**Sen. The Hon. P. Gopee-Scoon:** Sen. Mark, you have gone far beyond the remit of the question which you posed today. But I will continue to say that the Ministry of Trade and Industry, through the Consumer Affairs Division, will continue to inform and educate the population through the print media, through social media,

not only on food prices but also on hardware items, on poultry items, on pharmaceutical items. And we will continue to do so in the interest of the consumer so that the consumer can make the right choice in terms of what I should purchase and where I should purchase. And this is going to—we are going to continue to educate and think of innovative ways in which we can reach the public.

**Madam President:** Next question, Sen. Mark.

**Sen. Mark:** Thank you, Madam President.

### **Licensing Division**

#### **(Unavailability of Cleaning Supplies and Sanitizers)**

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

In light of reports of the unavailability of cleaning supplies and sanitizers at the offices of the Licensing Division, can the Minister indicate what action is being taken to address this situation?

**Madam President:** Minister of Works and Transport.

**The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan):** Thank you, Madam President. Madam President, there have been no complaints to the Permanent Secretary, the Transport Commissioner or to me as Minister, with regard to the unavailability of cleaning supplies at the Office of the Licensing Division. Checks with officials at the Ministry and by extension the Licensing Division have revealed that all offices are constantly provided with the required supplies and toiletries, sanitizers and other cleaning supplies.

Each site also has a member of staff assigned with responsibility for ensuring that these supplies are adequately replenished to a certain threshold. Persons responsible for ongoing sanitizing of the offices have been regularly performing their duties. I thank you.

**Sen. Mark:** Madam President, is the Minister aware that recently there was a

story that appeared in a report indicating, Madam President, that there were severe shortages of material at the various licensing outlet that would in fact contribute to dangers to the staffers, owing to the shortfall in supplies of sanitizers? Is the Minister aware of such report?

**Madam President:** Sen. Mark, in light of the response given by the Minister, I will not allow that question.

**Sen. Mark:** All right. Well, Madam President, I will follow it up at a future time. Thank you very much.

**Madam President:** Okay. Next question, Sen. John.

### **COVID-19 Vaccines**

#### **(Persons Qualify to Receive)**

**31. Sen. Jearlean John** asked the hon. Minister of Health:

As regard COVID-19 vaccines, can the Minister indicate the following, categorised by age group:

- (i) how many persons qualify to be fully vaccinated against COVID-19; and
- (ii) how many persons qualify to receive the booster shot?

**Madam President:** Minister of Health.

**The Minister of Health (Hon. Terrence Deyalsingh):** Good morning to you, Madam President and good morning to Members of this honourable Chamber, and I thank the Senator for this opportunity.

As per guidelines issued by the World Health Organization, the Ministry of Health has implemented its vaccination plan for the 12 to 18 age group which is estimated at 100,000 persons. And the 18 years and over age group which is estimated at 1.1million persons, this is according to the Central Statistical Office. In this regard, based on WHO's guidelines, a total of 1.2 million persons are

eligible to be fully vaccinated against COVID--19.

Answer to part (ii), booster shots are available for 551,774 persons who were fully vaccinated and the breakdown of these persons as per type of vaccines is as follows: Sinopharm, 388,629; Astra Zeneca 116,694; Johnson & Johnson, 46,451. The Ministry of Health has made significant changes to its programme from Monday 13<sup>th</sup> December, 2021, to increase availability. Boosters are now freely and conveniently available at 17 sites across Trinidad and Tobago on a monthly rolling schedule, depending on when the individual received his or her final shot of a primary vaccination schedule. Thank you very much.

**Madam President:** Sen. John.

**Sen. John:** Madam President, I thank the Minister for that answer that he has the number of persons who potentially qualify for the vaccine. I now pose, through you, Madam President, if there exists a database as these people come forward, whereby the citizens who have been vaccinated are then entered into a database.

**Hon. T. Deyalsingh:** It is an ongoing project between the Ministry of Health and the Ministry of Digital Transformation.

**Sen. John:** I want to ask the hon. Minister if this database is updated real time and whether there is now a targeted approach, based on—

**Madam President:** So, Sen. John, let us deal with it question by question. So the first supplemental there is whether the database is being updated? Is that it?

**Sen. John:** Yes, real time.

**Madam President:** In real time. Yes. Minister.

**Hon. T. Deyalsingh:** The database is updated on a timely basis. It may not be exactly real time. There is some delay, as you could imagine. We are dealing with hundreds of thousands of pieces of paper, but we are taking all steps to make sure that the data is updated on a timely basis as soon as humanly possible.

**Madam President:** Sen. John.

**Sen. John:** Yes. Madam President, I am asking the Minister, why in 2021, we are still keeping a database in hard copy? Why are these names not immediately put or updated on a digital platform?

**Hon. T. Deyalsingh:** The databases are not only in hard copy. As I indicated very clearly, it is an ongoing process of digitizing the records. But there will always be a lag between when the client fills in the form and the actual upload to the system.

**Madam President:** Sen. John.

**Sen. John:** Yes, Madam President. In creating your database, the people who are now, the people who have been vaccinated are now qualified for the booster shots. Are they just—is there just the expectation that they will just show up? Or is there a targeted approach to having these vaccinated people show up?

**Madam President:** Minister.

**Hon. T. Deyalsingh:** As is well rehearsed in the public domain, we have put out full page press ads. We have a social media presence and it is on our Ministry of Health website. That shows clearly the timelines for each person, based on when they received their last dose of their primary shot. It is in full page, full colour, in all the newspapers. So for example, if you got your second shot of AstraZeneca between 1<sup>st</sup> to the 18<sup>th</sup> of June, 2021, you are advised to come in between Monday 13<sup>th</sup> to 18<sup>th</sup> December. If you got it between the 19<sup>th</sup> to 25<sup>th</sup> of June, you come in between the 20<sup>th</sup> to the 23<sup>rd</sup> of December. We close for Christmas, and then the 28<sup>th</sup> to the 29<sup>th</sup> of June. If you got it between the 26<sup>th</sup> to the 30<sup>th</sup> of June, you come in between the 30<sup>th</sup> of December to the 7<sup>th</sup> of January. So it is very targeted. It is timed.

For Sinopharm, if you got your Sinopharm second shot between the 15<sup>th</sup> to 18<sup>th</sup> of June, you come in between the 13<sup>th</sup> and the 18<sup>th</sup> of December. All this is in

the public domain. But I will go on.

If you receive Sinopharm between the 19<sup>th</sup> to the 25<sup>th</sup> of June, you come in between the 20<sup>th</sup> to the 23<sup>rd</sup> of December and then the 28<sup>th</sup> to the 29<sup>th</sup> of December. If you got Sinopharm second shot between the 26<sup>th</sup> and 30<sup>th</sup> of June, you come in between the 23<sup>rd</sup> of December to the 7<sup>th</sup> of January.

**11.00 a.m.**

For Johnson & Johnson, if you got your Johnson & Johnson one shot between the 22<sup>nd</sup> of August and the 21<sup>st</sup> of September, you come in between the 13<sup>th</sup> and 18<sup>th</sup> of December. All of this is in the public domain. If you got your Johnson & Johnson between the 22<sup>nd</sup> of September and the 21<sup>st</sup> of October, you come in between the 20<sup>th</sup> to the 29<sup>th</sup> of December. If you got your Johnson & Johnson between the 22<sup>nd</sup> of October to the 6<sup>th</sup> of November, you come in between the 30<sup>th</sup> of December and the 7<sup>th</sup> of January.

For Pfizer, the boosters are due six months after you receive your second shot. We started giving out Pfizer doses in September 2021 and as we have advised the public in these updates, that booster programme for Pfizer will start in March of 2021. All of this, Madam President, is well rehearsed in the public domain. It is targeted, it is logical, it is seamless and it is working well.

**Hon. Members:** [*Desk thumping*]

**Madam President:** Next question, Sen. John.

**Sen. John:** Madam President, through you, the Minister is saying this programme is working well—

**Madam President:** No, Sen. John, you have used up your four questions.

**Sen John:** Okay.

**Madam President:** Supplemental. So I am inviting you to raise the next question. Question No. 32.

**Vaccination Hesitancy**  
**(Geographic Details)**

32. Sen. Jearlean John asked the hon. Minister of Health:

Can the Minister outline the specific geographic areas, inclusive of villages and towns, where there exists a high degree of vaccine hesitancy?

**The Minister of Health (Hon. Terrence Deyalsingh):** Thank you very much, Madam President. The Government of the Republic of Trinidad and Tobago's policy on vaccination deployment to its citizen is based upon universal access where persons can access vaccines living in any part of the country. To this end, there were several studies and reports submitted to the Ministry of Health to determine the reasons for vaccine hesitancy across the country. The key findings of a survey report completed in May 2021 by the Market Facts & Opinions, "Consumer Economic Study" on Trinidad and Tobago indicated that only 35 per cent of the population were willing to take the vaccines.

Further, the report from the Caribbean Public Health Agency, CARPHA, on the "COVID-19 Vaccine Acceptance Among Active Social Media Users in the Caribbean" that was completed in July 2021, indicated that:

"15%..."—of the sample population, those on social media, were vaccine—"hesitant, and 11% reported that they would not..."—take—"the COVID-19 vaccines when it..."—becomes—"available."

Subsequently, the journal article published on August 19, 2021, from the Lancet Regional Health of the Americas, Volume 3, entitled "Public trust, information sources and vaccine willingness related to the COVID-19 pandemic in Trinidad and Tobago: an online cross-sectional survey" indicated that 62 per cent of the sample population were willing to take the vaccines. The Market Facts & Opinions and CARPHA studies concluded there was misconception on the safety



and efficacy of the vaccines against COVID-19. And in particular, the Lancet article indicated:

“...that lower levels of education health literacy were associated with increased levels of belief in misinformation.”

In this regard, the Ministry of Health undertook several initiatives in correcting this misinformation about vaccine hesitancy and implemented targeted health education campaigns in villages and towns in order to build trust for continued support in compliance with a greater uptake of vaccines against COVID-19.

Initially, our key messages focused on general public health guidelines and the adoption of the new normal including mask wearing. The main slogan then became “Vaccinate T&T” to increase vaccine acceptance and combat misinformation as vaccines became available. The population is now urged to: do not delay, get vaccinated today, as we work to increase vaccination levels. Thank you very much, Madam President.

**Madam President:** Sen. John.

**Sen. John:** Thank you, Madam President. But having said that hon. Minister, today or yesterday, we were at 2,454 deaths which really is a grim figure to date, Madam President, without burdening you. You have on the front page of the *Express*:

“Doctors overwhelmed by Covid deaths”

And they have gotten to their:

“Breaking Point”

I am asking the hon. Minister, if he is satisfied with the uptake based on this outreach that he said that is targeted?

**Madam President:** Minister.

**Hon. T. Deyalsingh:** Yes. We are not happy with that. And I am sorry that the Member asked this question because we have said from day one, this is a whole-of-society approach and we need all leaders to step forward. And the UNC has to take a lot of responsibility for vaccine hesitancy in this country. And I will give you evidence. August 05, 2021, Renuka Singh in the *Guardian*:

“To date, neither Roberts nor Lyder has taken the jab and Nakhid refused to give his vaccination status, saying he did not need to as T&T is not a Communist state.”

This is the utterances of a UNC Senator now asking questions about vaccine hesitancy. Also—

**Madam President:** Sen. John—no, no, sorry.

**Hon. T. Deyalsingh:**

“Meanwhile, Roberts said he has asthma and was advised by his doctors to take the Pfizer vaccine. If that was not available, he was advised to then take the Moderna, Johnson & Johnson and possibly the Russian-made Sputnik but not the AstraZeneca or Sinopharm...”

Absolute hogwash.

Then it goes on—

**Madam President:** No, Minister. I would ask you, please, to withdraw that last word, please? Thank you.

**Hon. T. Deyalsingh:** Absolute unscientific data. Both the AstraZeneca— are available in Trinidad and Tobago. And then the hon. Moonilal said that Trinidad and Tobago should not be used as guinea pigs for Sinopharm vaccines. And when we asked parliamentarians to disclose their vaccination status, the PNM Members in both Houses declared their vaccination statement. It was the UNC in both Houses that refused to tell the country what their vaccination status is. So who is

leading the charge—

**Madam President:** Senator—

**Hon. T. Deyalsingh:** [*Inaudible*]—thank you very much, Madam President.

**Madam President:** Thank you. Sen. John.

**Sen. John:** Madam President, through you I do not know what any of what the Minister just said had to do with vaccination hesitancy. It is all irrelevant, honourable—

**Madam President:** Just please—let us just stop here for a minute. Thank you. Sen. John, just ask the questions. Okay?

**Sen. John:** Thank you, Madam President. I pose this through you, Madam President: Has the Minister seen fit, outside of blaming the UNC, to approach the local churches, temples, mosques, NGOs within the specific villages that he has just spoken about in very general terms?

**Hon. T. Deyalsingh:** Madam President, at the start of the vaccination programme, we had the Archbishop of the Roman Catholic Church, the Hindu faith, the Muslim faith, the Pentecostal faith, all came out to support it. So yes, we did it. We went in as part of our outreach into mosques, churches and mandirs to do just what the hon. Senator is saying. We did that. We educated, we went, we vaccinated persons in places of worship, wherever we were invited to do so.

And I will give you another statistic. We were recently invited by the Port Authority where there was some vaccine hesitancy. We spent an entire day in the port, this was about a month ago, talking to port employees one on one. At the end of the day, Madam President, do you know how many people we got? A magnificent seven. Seven persons at the port. This tells you that we need to do more. We need to step up. And we are always looking at our communications efforts. You will see new people coming out now, entertainers across all genres of

music putting their names to the vaccination drive. And we encourage all persons to get vaccinated. Since the booster programme began on Monday, we have vaccinated 5,420 with boosters.

So just a two-day average—it does not say much, it is just two days—27,010 persons have come out to get their boosters. But we do need all political parties and leaders, and I urge people—because the damage that these statements did by Sen. Lyder, Sen. Nakhid, and Sen. Roberts is tremendous.

**Madam President:** Sen. John.

**Sen. John:** Thank you. The Minister continues to impute improper motives hon. President. I just want to know: Is there any indication, because this is the approach the UNC will take, that the concerns made by community—young people, for instance, they have a different concern. Is it race-based, religious-based, based on religious concerns, culturally-based? Does your database drill down in that kind of granular level, so that you can be very targeted not just your Opposition opponents but the citizens of Trinidad and Tobago who are now dying en masse?

**Hon. Members:** [*Desk thumping*]

**Hon. T. Deyalsingh:** Thank you for that very responsible question. The answer is, yes. The issues of vaccine hesitancy are multifactorial. It has to do with socioeconomic conditions, education levels—not to say that only the uneducated—there are many educated persons, doctors, lawyers, medical professionals who are vaccine hesitant. So it is multifactorial against age.

One of the main areas—and I thank you for raising the issue—is the young male, especially between the ages of 20 and 49, who still believe that the vaccine will affect their virility and their manhood and they cannot get an erection. And that is something that is being addressed literally one on one with the young male. And you still people who believe that the vaccine is an invention of Bill Gates

because he is planting a chip in you. There is still this talk about the vaccines will make you magnetic, it alters your DNA.

And I was talking to one doctor in San Fernando this morning and that persons agrees with me. It is now a one-on-one conversation to get the vaccine hesitant to accept the vaccines and we are doing that daily. We are going out to communities, businesses that invite us. As I said, the Port Authority. So it is a battle around the world, eh. It is not only Trinidad and Tobago. It is a global battle to convert the vaccine hesitant to the vaccine acceptance and it is multifactorial and very, very complex.

**Madam President:** Sen. Mark, you had a supplemental?

**Sen. Mark:** May I ask through you, Madam President, to the hon. Minister: Has the Ministry conducted any survey on a geographical basis, regionally, to determine which regions or counties within the Republic of T&T are most likely to be vaccine hesitant thus far? Can you share that information?

**Madam President:** You have asked the question. Let me—Minister.

**Hon. T. Deyalsingh:** Thank you. So, there are some reports that talked about this. Let me see if I can find it. MFO—the MFO survey:

“...the country is divided...‘There is no majority opinion. A plurality of persons (45 per cent) disagree that they will take a Covid-19 vaccine should it become available.

Persons’”—age—“...65-and-older...”—that is across the country—“are more likely than any other age group to express interest in...the vaccine.””

I am giving you to MFO results now:

“...those who are most interested in getting the vaccine reside in the Couva/Tabaquite/Talparo area, while those who are least interested reside in the North Central and Central areas.”

This is MFO—

“These and other strong pockets of disagreement, suggest that there is much work ahead to attain...herd immunity...”

So this is MFO, and we were part of this study.

So as I said, it is multifactorial. It is geographic, it is age, it is gender, it is across religion, it is across professions.

**Madam President:** Sen. John, you have any more supplementals?

**Sen. John:** No. Sen. Mark, just kind of picked that up.

**Madam President:** Okay. Next question.

### Vaccination Hesitancy (Mechanisms and Techniques)

33. Sen. Jearlean John asked the hon. Minister of Health:

Can the Minister outline the specific mechanisms and techniques employed, including the use of surveys and polls, to determine the reason(s) for vaccine hesitancy throughout Trinidad and Tobago?

**Madam President:** Minister of Health.

**The Minister of Health (Hon. Terrence Deyalsingh):** Yes. Thank you, Madam President. There were several studies and reports submitted to the Ministry of Health to determine the levels and reasons for vaccine hesitancy from the following sources.

One, internationally, the journal article published on August 19, 2021, from the Lancet Regional Health of the Americas, Volume 3, entitled, “Public trust, information sources and vaccine willingness related to the COVID-19 pandemic in Trinidad and Tobago: an online cross-sectional survey.”

Two, regionally, the report from the Caribbean Public Health Agency, CARPHA, on the COVID-19 Vaccine Acceptance Among Active Social Media

Users in the Caribbean was completed in July 2021.

Locally, several reports included the survey report from the University of the West Indies, St. Augustine Committee on “COVID-19 Vaccines Addressing Vaccine Hesitancy and Uptake in Trinidad and Tobago” was completed in April 2021.

The survey by the Market Facts & Opinions, “Consumer Economic Study” on Trinidad and Tobago was completed in May 2021.

And the survey report by the regional health authorities to solicit feedback on motivation for or against COVID-19 was completed in September 2021. I thank you.

**Madam President:** Sen. John.

**Sen. John:** Yes, Madam President.

**Madam President:** The time for questions has expired.

### **ARRANGEMENT OF BUSINESS**

**Madam President:** Before I call on the Minister, I would like to just revert to the order of business previously and I am now in receipt of the instruments.

### **SENATORS' APPOINTMENT**

**Madam President:**

“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

**UNREVISED**

WHEREAS Senator the Honourable Avinash Singh is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:

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(1)(a) and section 44(4)(a) 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 15<sup>th</sup> December, 2021 and continuing during the absence out of the country of Senator the Honourable Avinash Singh.

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 14<sup>th</sup> day of December, 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. NDALE YOUNG

WHEREAS Senator the Honourable Dr. Amery Browne is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:



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(1)(a) and section 44(4)(a) of the Constitution of the Republic of Trinidad and Tobago, acting in accordance with the advice of the Prime Minister, do hereby appoint you, NDALE YOUNG to be a member of the Senate temporarily, with effect from 15<sup>th</sup> December, 2021 and continuing during the absence of Senator the Honourable Dr. Amery Browne from Trinidad and Tobago.

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 15<sup>th</sup> day of December, 2021.”

### **OATH OF ALLEGIANCE**

*Senator Harvey Borris took and subscribed the Oath of Allegiance as required by law.*

### **AFFIRMATION OF ALLEGIANCE**

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

**Madam President:** Minister of Finance.

**Hon. Senators:** [*Desk thumping*]

### **FINANCE (NO.2) BILL, 2021**

*Order for second reading read.*

**The Minister of Finance (Hon. Colm Imbert):** Thank you, Madam President. I beg to move:

That a Bill to make provisions of a financial nature and other related matters be now read a second time.

Madam President, this Bill was debated in the other place on Monday and despite significant contributions from all sides, I was quite intrigued to note that the proceedings in the other place did not receive any honourable mention in the media, not even a full stop or a comma. And what we have seen in the last couple days is things of a more sensationalist and a “bacchanalist” nature. But since we have some political “bacchanalist” here with us, I expect to get some coverage today. So, Madam President—

**Madam President:** Minister—

**Hon. C. Imbert:** I said political bacchanalist.

**Madam President:** —and I was going to actually invite you to continue without invoking any sort of, you know—

**Hon. C. Imbert:** I am just giving the context, Madam President, with your permission, as to why I expect to get some coverage today. So we didn't have much bacchanal on Monday.

So, Madam President, the Bill before the Senate is very important. One of the most significant measures in the Bill—and may I explain that traditionally, the Finance Bill follows the measures in the national budget and the Finance Bill is intended to put into law the fiscal measures that are announced in the budget. From time to time, sometimes and this year is one of those times, the Ministry of Finance will take the opportunity to include certain other fiscal measures or financial measures that are important and urgent. But normally, the Finance Bill simply is the implementation of the fiscal measures announced in the budget. This particular Finance Bill does include a very, very important matter which I will get to in due course. And by the way, Madam President, how much time do I have?

**Madam President:** You have 45 minutes. You will finish at 12.05 with some seconds—50 seconds.

**Hon. C. Imbert:** Thank you very much. So, if you look at the Bill itself, the first clause is self-explanatory, it is simply the title. And as we move on now, the Bill proceeds to deal with a matter that has addressed the attention of the Ministry of Finance and was approved by Cabinet recently which is a reduction and refunding in gaming taxes and the gambling industry.

During the year 2020, the Government took the very difficult decision to prohibit the operation of bars, clubs, as defined under the Registration of Clubs Act, and common gaming houses or betting offices, and this was done to control and prevent the spread of the novel coronavirus which we know as COVID-19. As a result, the gambling industry was mandated to close in full for approximately five months of 2020. Thereafter, the gambling industry was allowed to open but with conditions.

So that five months of 2020 constitutes approximately 42 per cent of the year. However, the way the legislation that governs the gambling industry is structured, persons operating in the sector were required to pay fees and taxes on an annual basis in advance for the year 2020.

Clauses 4 and 14 of the Bill are meant to bring relief to this sector by implementing for the year ending December 2020, a reduction in the annual gaming tax by 42 per cent. The clauses also provide for a refund of the 42 per cent—the said 42 per cent of the tax so paid in accordance with the Registration of Clubs Act and the Liquor Licences Act, respectively.

And I wish to point out that amusement machines in bars are governed by the Liquor Licences Act and not by the Registration of Clubs Act or the new gambling and gaming Act, which will be proclaimed shortly. The tax will be refunded where it is proved to the satisfaction of the Board of Inland Revenue that the tax was actually paid. So those who paid will get a refund and those who did

not pay will get what is described as a remittance.

So clause 2 implements as reduction in fees by 42 per cent and a refund of the said 42 per cent where the fees were paid to the BIR or the Betting Levy Board. And as I indicated, this needs to be proven in the case of those who actually paid because several did not, claiming hardship. And this is why we are giving them relief.

When we go to clause 3 and its companion, clause 13 of the Bill, this addresses something—a very serious matter which has troubled this country for some time. And this will now, for the first time, properly criminalize the operation of Ponzi schemes, pyramid schemes and other such schemes under the Proceeds of Crime Act and the Securities Act, respectively.

In 2020 September, we are all very well aware that as reported in the media there was the operation of a well-organized scheme, some say a money laundering scheme, under the guise of a pyramid scheme in Trinidad and Tobago. Given the seriousness of the matter, it immediately grabbed national attention and created national dialogue on the existence of Ponzi and pyramid schemes, operating in parallel to what is known in local parlance as the sou-sou.

I wish to point out at this time that we have no intention to criminalizing our cultural sou-sou. A sou-sou in Trinidad and Tobago and many other countries is an arrangement where persons would pay a sum, usually a monthly sum and let us use an example. You would pay \$500 a month for six months and then at some point in time, you will collect your hand which would be \$3,000, less perhaps a marginal charge for the person who is managing the sou-sou. Sometimes there is no charge at all.

So that, that sou-sou, there is no multiplication of your contribution. You get back exactly what you have put in. But it is a form of savings and you would agree

with the other members of the sou-sou as to when you will get your hand—your \$3,000 in the example that I have given there. But what was happening in 2020 was completely different. The Government has taken note, closely monitored this problem, being well aware of the deleterious effects of Ponzi and pyramid schemes, especially on the vulnerable in society.

So clause 13(b) of the Bill establishes a comprehensive definition for the term “prohibited scheme”. And in looking at this, the Ministry of Finance went around the world to see how countries deal with Ponzi and pyramid schemes and the like, and there are different approaches in different countries. Several countries have specific legislation dealing with Ponzi schemes.

**11.30 a.m.**

Other countries such as Jamaica, which is the model we chose to adopt after extensive review, have included the prohibition of Ponzi schemes and pyramid schemes in their Securities Act. So that we are also doing that. We are putting into our Securities Act, the prohibition, the outlawing of Ponzi and pyramid and similar schemes.

In order to do so you must have a proper definition so that these characters who operate these criminal schemes can be caught. So that if one looks very carefully at clause 13 (b) of the Bill, let me go straight to it—there are quite detailed definitions of what a “Ponzi” or “pyramid” scheme is, and we call it a “prohibited scheme.” So, if we go to the Bill in clause 13, the definition of a “prohibited scheme,” which is now going to go into the Securities Act after section 165 with the creation of a new section 165A, and the Bill tells us that a

“...‘prohibited scheme’ means a scheme in which-

“(a) a business is structured in such a way that the returns an investor or client earns is directly tied to the number of persons he recruits to join the scheme;”

So that is quite typical of what happened in Trinidad and Tobago, where persons would get money because of the number of persons they would recruit to join the scheme. The next definition (b) it is a scheme in which:

“(b) the amount of income a person earns while participating...depends on his rank in the scheme, where such rank is related to when a person joins the scheme;”

So, if you are in the scheme at the beginning, you get more. That is another typical feature of a Ponzi or pyramid scheme. It is a scheme in which:

“(c) the amount of...”—money—“a person earns while participating in the scheme is directly tied to or depends on his success in recruiting other persons to join the scheme;”

So in that scheme, persons were given a bonus depending on how many people they recruited to join the pyramid scheme.

“(d) a person is required to purchase a financial product or financial training offered by the scheme before he can participate in...”—or—“earn income from the scheme, and neither the product nor the training can be offered for resale to the general public;”

That was another way in which the operators of a pyramid scheme sought to entice people in. You have to buy something in order to get involved, a financial product or engage in financial training.

“(e) a person is required to pay an advance fee, either as a lump sum or by instalments, in order to receive a financial return ...

That is another way where the operators of the scheme enticed people—they said, well, you could pay \$5000 and get back \$15,000 or pay \$10,000 and you might get back \$100,000. So the more you paid by way of an advance, the more you got in the multiplier effect. So that was another feature of a pyramid scheme.

“(f) part of the marketing or promotion of the scheme involves an assertion of statement guaranteeing or promising that participation in the scheme will result in returns which far exceeds the returns offered in the securities market;”

Well that is perhaps one of the most obvious features of the scheme, where persons were offered huge returns on their so called investment. So you put your money in the bank, you might get 1 per cent, you buy stocks and shares on the stock exchange you might get 3 per cent. But if you come with us, we would give you 50 per cent or 100 per cent or 200 per cent as the case may be. (g) a scheme in which:

“(g) an aggregate public scheme requires contributions to pool of investment, and guarantees or promises a larger payout based on the number of persons recruited...

“(h) an investment scheme provides an investor with returns derived substantially from investments made by other investors in the scheme, rather from genuine profits...

So again, that is another feature of the scheme. This scheme does not involve investment in any activity, project, security, per se. In other words, the money is not taken and invested in an income generating project. So that, that is another feature. When you look deeply at what is going on, the money is simply generated by new members. That is the typical pyramid with small at the top, large at the base, where you just entice more and more people to come in and the new people provide the income for the original set.

“(i) whether or not the name ‘ponzi’ is used by any... connection...”

So the scheme does not have to have the name ‘ponzi’ as I said in the other place anybody would be foolish to say, this is a ‘ponzi’ scheme but that is required, so that we can define a ‘ponzi’ scheme.

“(ii) whether or not the scheme limits the number of persons who may participate therein, either expressly or by the application of conditions affecting the eligibility of a person to enter into, or receive compensation under, the scheme.

And the penalties that are now established:

“(2) A person who establishes or operates a prohibited scheme is liable on summary conviction to a fine of ten million dollars and...imprisonment for ten years.”

And it goes on to give other offences:

“...knowingly participates in...” the “scheme”

—and:

“...advertises or invites...” enticing persons “to join a...scheme”. That would attract:

“...a fine of two million and...imprisonment for three years.”

And then we go on to indicate in a list the penalties, fines and so on; administrative fines as well.

So this is a fundamental improvement in our legislation, to deal with criminal activity and to deal with those who prey on the vulnerable and the innocent. It is designed to outlaw this get rich quick scheme, which has caused grief to so many people. And as I said, we went all over the world to determine the



best fit for Trinidad and Tobago, and we decided to use Jamaican model because that has worked very well in that country. And it is very comprehensive and very detailed and we have borrowed quite a lot of the Jamaican legislation in arriving at our prohibitions on outlawing of these Ponzi, pyramid and similar schemes.

Moving on now, clauses 5(a), 10(a) and 12(a) of the Bill, remove respectively all motor vehicle tax, value added tax, and customs duty on both new and used passenger electric motor vehicles and passenger electric motorcycles. Previously, when we exempted categories of vehicles from various taxes, there were limitations with respect to motor sizes and so on. But because electric vehicles are still in the embryonic stage, certainly in this part of the world, we thought that we would not restrict the motor size in this particular measure where we are waiving motor vehicle tax, value added tax and customs duty in order to encourage people to start using importing and using electric vehicles. And this is intended to incentivize the public, the fact that we have not put any restrictions at this time on motor sizes.

With respect to used electric vehicles it is important that honourable Senators understand and the wider public understand why we have limited used electric passenger motor vehicles and motorcycles to an age limit of just two years from the date of manufacture. The reason is, as I indicated, this is still an embryonic industry, it is new, and in the past, the electric vehicles, the batteries were inefficient and did not last for more than three years. And one of the problems developed and advanced economies have at this time is disposal of inefficient electric vehicles, especially the batteries they do not know what to do with them. So that we did not want Trinidad and Tobago to become a dumping ground for inefficient and antiquated electric vehicles with batteries that would be useless so it would create a problem here, where persons, if they brought in an

older electric vehicle, say a three-year-old or four-year-old electric vehicle, within a year or so the vehicle will become useless because the battery would have been old technology and they would have to dump these batteries. So we have limited the age of a used electric vehicle to two years for now to address that matter. Obviously, as the technology advances because the new batteries we are told could last up to eight years, some of them 10 years. So as advances occur in the technology and as the battery life goes up, then we will revisit that two-year prohibition for used electric vehicles. Well, we have a very good reason for it at this point in time, which I have just explained. And let me go now to a matter that came up in the other place that I found quite ludicrous, the point made, and I took the opportunity to explain and I will do so now, I will address that matter.

A point was made that electric vehicles would explode or “conk out” during a flood and therefore, why are we encouraging the use of electric vehicles because they would be useless in Trinidad and Tobago during times of flooding. That was so far from the truth it is not funny.

So let me just deal with that issue and I am reading from a publication by a website called HDFC and I am quoting now:

“Since electric cars are harbingers of new technology, and manufacturers understand that they need to win the customers confidence, these vehicles go through rigorous testing and follow several safety protocols.

Most modern electric vehicles have resorted to putting the battery and other electrical components in the bottom section, one that is most likely to be exposed to flooding. However, the components are well-sealed, insulated, and are watertight, to ensure there’s no seepage of water. Electrocutation, therefore, is not a risk, when you take your electric vehicle through flooded areas.”

Additionally—

“Electric cars undergo high pressure, deep water testing in extreme conditions to ensure comprehensive plugging of any weak spots.”

Just for information—

“The founder of Tesla, Elon Musk, recently showcased how a Model S”—electric vehicle—“could float...and could turn a boat for a short period of time using the vehicles wheel rotation for thrust.”

That is not recommended however.

Let me go now to a more technical example. For electric vehicles there is an international protection rating system that electric vehicles all must comply with. A typical IP rating is IP 65. The first number, six, refers to sealing against dry matter getting in such as dust and the second number, five, refers to water getting in. IP 65, that international protection rating, means the item is totally sealed against dust entering and is protected from low pressure water in any direction. For most electrical vehicles, in particular those in the high voltage sections of motor speed controller and battery, they are rated to IP 66 or better, six, for water entry means protected against strong jets of water.

So that in most modern electric vehicles, I will have to say all, that are manufactured in the advanced economies, the motor, the speed controller, and batteries are protected against strong jets of water. So that the idea that an electric vehicle would “conk out” or explode during a flood is simply ridiculous and in fact, the literature tells us that an electric vehicle would feature better during a flood, passing through a flood, than an internal combustion engine car. So I just thought I would say that.

Moving on now to goods vehicles. Clause 5 (b) of the Bill addresses infrastructure damage sustained on this country’s roads by overweight trucks. So it

increases the penalties, fixed penalty from \$750 or \$4,000 and demerit points from three points to four points for overweight vehicles and we expect the Ministry of Works and Transport to utilise their weight control stations at Caroni and Golconda, to deal with compliance with respect to this matter.

With respect to clause 6, and I want to say because this was raised elsewhere. This has nothing to do with the current effort to introduce private sector operator into the cargo operations at the port. This is simply a lacuna that has existed in our legislation for a long time. Clause 6, amends the Port Authority with respect to exemption on Value Added Tax for carrying out its functions, such as the acquisition of plant machinery, apparatus, equipment, et cetera. Currently, section 35 of the Port Authority Act exempts the Port Authority from customs duty and this is simply to bring parity between duty and VAT.

At the present time, if the Port Authority requires an exemption from VAT, they would have to go through a laborious process to seek the exemption and quite often that could require a Cabinet Note and a Cabinet decision. So this is simply to avoid that tedious process, and in any event, since it is a wholly owned state entity, the question of the Port Authority paying VAT is from left pocket to right pocket. So that we are simply making this amendment to take away the paper work and the bureaucracy associated with the Authority applying for a VAT refund because it is a state entity. And this is applicable already to most state entities they are already exempt from VAT and duty.

With respect to clauses 7, (b) (1), (b) 2, this continues, the policy of this Government trying to make it easier for first time homeowners by giving them tax exemptions. This will amend section 18 (a) of the Income Tax Act, to provide an increase in the tax allowance for first time homeowners from \$25,000 per year to

\$30,000 per year. And this is to encourage persons to buy property, encourage first time homeowners to invest in housing.

Additionally, to encourage people to save, again continuing this Government's policy to encourage people to save for contributions to approved pension fund plans, approved different deferred annuity plans, tax saving plans, widows and orphans plans, NIS, et cetera, clause 7 (c ) of the Bill amend section 28 (15) of the Income Tax Act to allow an increased aggregate deduction of \$60,000 up from \$50,000 in relation to annual contributions made under Widows and Orphans Pension Act, the National Insurance Act, the Retiring Allowances, Legislative Act or any approved pension fund scheme, approved annuity plan, et cetera and again, this is to encourage people to save. So we increasing the amount that someone could invest in a pension plan and get a tax exemption or deduction.

With respect to foreign investment, to encourage foreign investment, we adjusting the withholding tax rate, reducing it to 8 per cent for distributions, and 3 per cent for distribution to a parent company and this is intended to actively encourage foreign investment in Trinidad and Tobago.

Clauses 7 (a) and 7 (b) (i), also clean up the Income Tax Act by replacing outdated references to the Land and Building Tax Act and Municipal Corporation Tax Act so, harmonise it with the Property Tax Act. Clauses 8 (b) and 11, continue our programme of encouraging small and medium enterprises to list on the Trinidad and Tobago Junior Stock Exchange. Currently, there are just two companies and there has been a reluctance on the part of SMEs to list on the junior stock exchange, there is a reason for that. The discipline that is required by the Stock Exchange would require SMEs to expose their business to the public, because if you are a listed company and you have many shareholders, any one of these shareholders, even if they have one share, can come to the annual general

meeting of the company and ask probing and penetrating questions about expenditure by the company on benefits to executives and things of that nature. And many SMEs are family owned and designed in a particular way to finance the operations of families and therefore, SMEs are a little reluctant to expose themselves to that level of scrutiny that will occur with the junior stock exchange but on the flip side, SMEs suffer from lack of access to capital. It is very difficult for SMEs especially indisciplined SMEs who do not keep proper accounts, who do not have proper management protocols, industrial relations protocols, have no skill in project management, et cetera, it is very, very difficult for SMEs in that category, to get capital, to get bank financing and so on to acquire new equipment, acquire new property to grow their business, very difficult for them. However, if they list on the junior stock exchange, they can immediately get capital by an initial public offering, or by demonstrating to financial institutions that they have the necessary discipline, the necessary strength, the necessary long-term planning, the necessary integrity to get financing from banks.

So, it is a good thing for small and medium enterprises to seek to list on our Stock Exchange. So again, we are improving the exemptions in terms of taxes and what clauses 8 (b) and 11 of the Bill do is grant relief to small and medium enterprises that list on the junior stock exchange for Business Levy and Green Fund. So that this will reduce the rate of Business Levy to zero per cent for the first five years and 50 per cent of the applicable tax for the next five years and similarly with the Green Fund. And clause 8 (a) of the Bill amends section 3(2)(b) of the Corporation Tax Act clearly establish the rate of 50 per cent of whatever the prevailing rate of Corporation Tax is for SMEs listed on the stock exchange for the second five-year period. So the first five-year period is zero, encourage them to list

on the stock exchange and the second five-year period, it is half of what the current rate would be.

So we also looked at what successful countries have done in Europe, in Asia, in North America, and in the Lat. Am region, because we in this Government consider ourselves to be part of the Latin American and Caribbean region. So that we looked into Lat. Aam and we looked into Caricom in particular, and what we saw is that in Jamaica, which has very successful junior stock exchange with at least forty companies listed as compared to our two, they have a mentorship programme, so that in order to list on the junior stock exchange in Jamaica, you have to have a mentor and that mentor is a successful company that is deemed to be fit and proper by the stock exchange in Jamaica to mentor the emerging SME that wants to list so that you cannot list unless you have a mentor. So we are introducing this matter, this proposal, into our stock exchange regime and this will be developed over the next couple months. We are already deep in discussions with between the Central Bank, Ministry of Finance, Stock Exchange to create this mentorship programme with approved mentors that would train, support and assist SMEs as they move from their current situation into listing on the stock exchange.

With respect to SMEs, we are also helping them with our phase two loan programme. When we did all phase one last year, we recognised that a number of small and medium enterprises simply could not qualify for the COVID Relief Guarantee Loan Programme and they could not qualify for three reasons. They do not keep proper accounts. They are not up to date with their statutory obligations for income tax, and

They are not up to date with their statutory obligations for national insurance.

So they were not up to date for taxes of all kinds, value added tax as well, not up to date for national insurance and not up to date with the audited accounts

and so on. So they could not qualify. So what we have done in our phase two programme is we have decided that we would relax the requirements so that the SMEs to get access to our phase two programme—and you would have seen advertisement in the paper, I think I saw one up to yesterday, there might be one today from the commercial banks, FCB in particular, FCB is the managing bank and the other banks are the participating banks, Royal Bank, Scotiabank, and Republic Bank, working with FCB and other banks are coming in as we go along. They are all part of the programme. You can go to any one of these banks as an SME. So that now, you only have to be up to date with your statutory obligations to the end of December 2018 and then we give you one year to get up to date with the obligations for 2019 and 2020.

So that is a significant advance we have made to allow more and more SMEs to qualify for the Government loan, I might stress, we have also improved the Government guarantee it was 75 per cent last year and believe it or not, Madam President, even though the Government was guaranteeing 75 per cent of the loan, many small and medium enterprises could not get the 25 per cent collateral or whatever it is they were required to put up for the loan. So we are now improving the Government guarantee to 100 per cent. So the loan programme, you do not have to be up to date. Beyond the end of 2018 in the first instance, it is 100 per cent Government guaranteed, and you get a moratorium on the first two years, you do not have to pay anything for the first two years, it is a seven-year repayment period and most importantly, it is interest free. The Government is taken responsibility to pay the interest on the loan. And in order to achieve all of that that I have just mentioned, the Government paying the interest, the Government guarantee and so on, we have agreed with the participating banks to reduce the cost of this to the Government that we would exempt them from corporation tax on



interest income that they would be charging the Government. So as I said, it is advertised in the papers and I encourage all small and medium enterprises to take advantage of this loan. I do not think there is anything like that anywhere in the world.

So moving on now, clause 8 (d) of the Bill also encourages innovation and research and development and provides a research and development allowance limited to 40 per cent of actual expenditure incurred in research and development up to three million dollars and that is now going to appear under section 10U of the Corporation Tax Act. And—

“...‘research and development’ is defined as a process intended to create a new or improved product.”

Also, as part of the many new measures that we put into this year’s budget, we are introducing an allowance of 150 per cent of actual expenditure incurred up to a maximum of one million dollars in the conservation or preservation of a property of interest. Under the National Trust Act, a:

“‘property of interest’ means any monument and any fossil, place or site of natural beauty, or national, historic, scientific or archaeological interest”

And we have given the Minister with responsibility for the Trust, currently, the Minister of Planning and Development, the responsibility to certify that the work where the money has been spent under clause 8 (d) of the Bill, is for the conservation or preservation of a property of interest.

Moving along clause 8 (e) (ii) of the Bill gives incentives for the development and expansion of the manufacturing sector. And we are allowing deduction up to one hundred thousand dollars for companies investing in information technology digitization of technology development, this does not apply to the energy sector. Again, with our Government’s thrust for digitization,

clause 8 (e) (ii) of the Bill provides incentives in the Corporation Tax Act for the digital sector.

“A company whose core business is technology solution and digitization shall be subject to...a rate of fifty per cent”

—of the current Corporation Tax Act—

“on the first one hundred thousand dollars...for...2022; and ...the first two hundred thousand dollars of...income...for 2023.”

We have defined “technology solution” to mean:

“...a set of related software programmes or services sold as a package.”

Again, another innovative measure in the national budget 2022, we are giving incentives for carbon capture and storage and enhanced oil recovery. That is clause 9 of the Bill providing an allowance for companies involved in carbon capture, carbon storage, and enhanced oil recovery. And we have defined these things;

“carbon capture storage”—is defined as— “technology which prevents or removes carbon emissions from the atmosphere and stores the captured carbon emissions for reuse in manufacture or stores the captured carbon emissions underground or otherwise;” and

enhanced oil recovery”—is defined as—“the increased recovery of crude oil from a reservoir by using various methods including steam, water flooding or gas injection...”

Again, another innovative measure in the budget articles for the differently-abled, the blind and disabled, 10 and 12 of the Bill expand the number of articles and the items required to assist the blind and disabled through duty and VAT concessions. There are already a number of articles but we are adding more. So we are assisting

persons with duty and tax concessions on things like walking canes, and white canes.

We are also introducing tax waivers for persons with mental and physical disabilities and that is in clause 12 (b) of the Bill. Clause 10 (b) zero rates Value Added Tax on walking canes, white canes, mobility, canes, braille typewriters, and all items currently exempt from customs duty, as certified by the Minister with responsibility for persons with disabilities.

**12.00 noon**

In addition, Madam President, you would have heard me speak about incentives to significant importers and the fiscal measures that will deal with incentives for exporters will be part of another Finance Bill which I will introduce early in 2022. Clause 15 is a commencement clause which makes it clear that clauses 5, 7, 8, 9, 10, 11 and 12, which is essentially the fiscal measures in the national budget will come into effect on the 1<sup>st</sup> of January. All other matters will come into effect on assent of this Bill. How much more time I have, Madam President?

**Madam President:** You have exactly 10 minutes and 50 seconds.

**Hon. C. Imbert:** Thank you very much. So, to repeat, this Bill—

**Madam President:** Minister, sorry, five minutes and 50 seconds.

**Hon. C. Imbert:** Thank you very much. To repeat, this Bill is intended to address the fiscal measures announced in the budget, 2020. There are many and we consider many of those fiscal measures to be very innovative, such as incentives for digital companies, incentives for enhanced oil recovery and carbon capture, incentives for manufacturers, incentives for small and medium enterprises, a significant number of new initiatives in the national budget; tax deductions for companies who want to assist in the preservation and renovation of historic

properties and properties of interest and so on, and in particular, the criminalization of Ponzi schemes and pyramid schemes. We consider this to be a major advance that is being affected by this legislation.

I also want to say, Madam President, as we move forward, in addition to these measures that are in this Bill it is also the intention of the Government to look very closely at matters—and this will be in an upcoming finance Bill, we will be looking at matters where we can accelerate the diversification of the economy. And I want to announce before I close that one of those projects that will benefit from some of the measures in this Bill and other measures going forward will be—and I am talking specifically about the withholding tax and other such measures intended to encourage foreign investment, one of the measures we would be looking at very closely is the proposed La Brea dry dock facility where an MOU was executed in August, 2020, between NIDCO and the China Gezhouba Group international for the construction of the La Brea dry dock and associated facilities. A feasibility study and conceptual designs were completed in March 2021. The facility is designed to accommodate Panamax size vessels with a draft of 14.5 metres, includes two dry docks, two service jetties, as well as onshore warehouses and workshops to support repair and manufacture of ship engines, hulls and other electrical and mechanical components. This is a very expensive project, Madam President, very expensive but we believe—this Government believes that in order to push this country forward and to continue to accelerate diversification we must invest in capital development; we must invest in projects like this.

The cost for this project at this time is estimated at US \$590 million, so if you do the maths, Madam President, that is about TT \$4 billion. It is intended that the project be financed by the China EximBank, 70 per cent of the cost, and direct investment by the China Gezhouba Group international, plus their partners which

would be NIDCO. So far, the feasibility study has told us the project is financially viable with a return in excess of 10 per cent and internal rate of return in excess of 10 per cent. And NIDCO has applied for a Certificate of Environmental Clearance; it is expected the environmental impact and assessment will commence early next year and would be completed by 2023.

So that we are pushing on, and this is one of the reasons why we are proposing these fiscal measures and others that will come because during construction this project is expected to provide direct employment for 3,000 persons during operations. Believe it or not, this project is expected to provide permanent employment for at least 3,000 persons and support approximately 12,000 indirect jobs and will truly revamp our south-west peninsula and bring development to that part of the country. So with those few words, Madam President, I beg to move.

**Hon. Senators:** [*Desk thumping*]

*Question proposed.*

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

**Hon. Senators:** [*Desk thumping*]

**Sen. Wade Mark:** Thank you, Madam President. Madam President, what time do I stop? Can you advise?

**Mr. Vice-President:** You started at 12.05 and you will finish therefore at 12.45.

**Sen. W. Mark:** Yes. Thank you. Madam President, let me begin by stating categorically that under this clueless, hopeless, and visionless PNM Government this country is going nowhere very, very, very, very fast. Madam President, the Finance (No. 2) Bill, 2021, is being debated against the background of a prolonged period of negative economic performance which has witnessed a decline every year since 2016 of economic growth. The IMF has projected an economic growth

rate of 5.7 per cent in 2022, which seems more like a “pie in the sky” because it was this same IMF, Madam President, which predicted economic growth of 4 per cent at the end of 2021. Sadly, this will not materialize when we look at the latest economic data coming out of the Central Bank.

The fiscal measures outlined in the Finance (No. 2) Bill, 2021, will not do anything to lift this economy out of its current depression. The fiscal measures tantamount to the Government’s continued declaration of war against the poor and the ordinary people of our country. There is, Madam President, no clear economic strategy or policy other than to further enrich their friends, their financiers, family and themselves. Madam President, approximately one year ago the Minister of Finance piloted the Finance (No. 2) Act, or Bill at that time of 2020 in which, Madam President, the Minister unleashed a reign of measures, fiscal measures which negatively impacted the poor, the vulnerable and the marginalized population whilst extending incentives, lucrative incentives, exemptions and tax concessions for the few, demonstrating once again, Madam President, the absolutely bankrupt nature of this Government.

Today, Madam President, the Minister has just presented the 2022—the 2021 Finance (No. 2) Bill and, Madam President, when you examine—and I am going to do that shortly—the various measures that are contained in that Bill, it is another giveaway of taxpayers’ money to the well-to-do in this country, the “big shots” and the parasitic oligarchy. Madam President, the same PNM Minister, Madam President, who ought, Madam President, to be promoting policies that generally bring about what is called a more equitable distribution of the burdens of adjustment. What we have witnessed in these measures which I am about to outline will show that the burdens of adjustment continue to be placed squarely on the shoulder of the working people of our nation who have been called upon to make

more sacrifices, endure more suffering and more brutality given the measures outlined, Madam President. This is clearly a rich man's Government and a poor man's perpetual nightmare.

Madam President, if we look at this Bill, Madam President, what we are going to see in no uncertain terms is that the Government's only plan, Madam President, if you look at these measures properly, remains to tax, to drain and to raid continuously the HSF and to borrow. Madam President, may I say from the outset that we are not against business, what we in the UNC are against, Madam President, is inequity. The Finance (No. 2) Bill of 2021 seeks to amend some 13 pieces of legislation but, Madam President, how will these amendments improve or help improve the quality of life of the 1.4million citizens? The various measures when closely examined provide more comfort and enjoyment and riches for the few in our country; crumbs for a limited segment of the population and continued suffering, sacrifice, brutality and hardships for the vast majority of our people. These measures, Madam President, of a fiscal nature contained in the Finance (No. 2) Bill should be deeply disturbing, troubling, worrying and concerning to all right-thinking citizens. There is no equity of fairness in the distribution of the burdens of adjustment.

These measures, Madam President, are flawed. They are unfair. They are unjust. They are disproportionate and they are totally one-sided, Madam President.

**Hon. Senators:** [*Desk thumping*]

**Sen. W. Mark:** Madam President, like the Finance Bill of 2020, this Finance Bill is literally designed to make the rich richer and the poor man poorer. So let us get into the measures directly, Madam President. Madam President, when you look at the measure aimed at what is called amending the Motor Vehicles and Road Traffic Act, you look at the Port Authority amendment, the Income Tax

amendment, Corporation Tax, even the Petroleum Tax, the value added, Customs Act; these amendments to the Securities Act, the Proceeds of Crime Act, there is one common thread running throughout these various amendments. The picture that emerges is one and the same, honey for the rich, poison pills for the poor and the ordinary people.

Madam President, let us look at the amendments to the Fourth Schedule—

**Madam President:** Sen. Mark, just one second.

**Sen. W. Mark:**—of the Motor Vehicles and Road Traffic Act—

**Madam President:** Sen. Mark—Sen. Mark, just one second. Acting Leader of Government Business, I think you think that you are speaking softly but I am starting to hear your protestations so I would just ask you, please. Okay?

**Sen. Rambharat:** [*Inaudible*]

**Madam President:** Sen. Lyder, are you addressing me?

**Sen. Lyder:** Sorry, Madam, I was just saying I could not hear either, but thank you for—

**Madam President:** What could you not hear?

**Sen. Lyder:** I could not hear the debate, there was a lot of noise. [*Inaudible*]

**Madam President:** Well, thank you—Sen. Lyder, thank you, I think I have addressed it. Okay? Sen. Mark, continue.

**Sen. W. Mark:** Yes. Madam President, let us look at the amendment to the Fourth Schedule of the Motor Vehicles and Road Traffic Act to start. Madam President, here the Government is seeking to exempt motor vehicle tax on new private electric motor vehicles and a used private electric motor vehicle which is not older than two years from the date of manufacture. Madam President, this has to be taken in conjunction with an amendment to Customs Act which would also exempt customs duty on new and used private electric vehicles as well as to amend,



Madam President, the value added tax where Schedule 2 of the Act is amended to zero-rate value added tax on new—on this particular measure in terms of the vehicles making those vehicles zero-rated as it relates to value added tax. They would pay zero rate as it relates to value added tax on the new and used private electric motor vehicles.

Madam President, the Minister did make reference to that on page 156 of his budget statement of last year but, Madam President, what does this really mean? What this means, Madam President, is that the Minister of Finance—and I want to make reference to the Finance Act of 2017, when that Act was introduced, the Finance Act, the Minister made reference to exemption of taxes on electric and hybrid vehicles. That expired on the 31<sup>st</sup> of December, 2020. Madam President, the question that has to be posed, why remove the hybrid vehicles from this provision? Is this to punish the used car industry and promote the interest only of the new car industry? Madam President, this measure will negatively impact upon ordinary people who could have afforded when they had the hybrid vehicles available. They could have purchased an Aqua hybrid in 2020 for some \$70,000. Madam President, that new electric motor vehicle that is now being put out there for consideration is now going to cost the ordinary person some \$300,000 prior to shipping costs. How will this measure benefit the small and ordinary people who now have access or who had access previously? Madam President, this will definitely not affect—this will rather, Madam President, definitely affect the used car dealer and that market in a negative way.

So you look at this question again, Madam President, of the electric motor vehicles, why not the hybrids? Why? Those are easier to run, Madam President, as they do not need charging stations because they recharge from the braking of the car itself. Fully electric cars are less available, Madam President. They are more

expensive to buy and maintain. Is this an incentive for the rich only, Madam President? We do not have charging stations. Is the Government going to give this to BP also? They have invested a lot in this technology. Already they are controlling our renewable trajectory as they and Shell were given the power project. Madam President, where are the promised high-value jobs that the energy transition promised? Did the solar project have local content requirements? Have these been revealed? How does the Government local content committee view this? Will the tender for charging stations have any significant local content requirements, Madam President? Will locals know in advance? Madam President, these are issues that are of concern to us as it relates to this new measure that is being proposed by the Government.

So, Madam President, that deals with the issue of what I call the new electric vehicles and the used ones. Madam President, if you go to clause 5 the Government is now amending the Ninth Schedule of the Motor Vehicles and Road Traffic Act to increase the fixed penalty from \$750 to \$4,000. Madam President, why? And they are increasing the demerit points from three demerit points to four demerit points, and for the offence, Madam President, of a goods vehicle carrying excess weight and thereby contributing to, what the Minister said is, the destruction of our roads and highways. Madam President, this is obviously flawed and ridiculous. The Minister of Finance should not be blaming the truckers for destroying the roads. If the Minister is to blame anyone, Madam President, it is the contractors who are providing substandard work and therefore we wish to warn this Government not to put this kind of heavy pressure via what is called increased penalties, either in terms of the offences, in terms of moneys as well as demerit points, Madam President. This is wrong, Madam President.

Madam President, the Ministry of Works and Transport is not doing its job,

they are building substandard roads for large vehicles. All heavy vehicles already pay road tax to the Government and therefore it is passing strange for the state to increase fines to such drivers. The Government should be educating, enforcing and engineering this matter. These are the areas if you are talking about road safety, Madam President. So we do not support this imposition. And as I am on this, Madam President, may I ask the Minister whether there is intention by some prominent businessman to purchase a gravel pit somewhere in the north-east of this country, Madam President? I understand the name of the gravel pit is San Carlos, and we want to know if that is the reason why the Government has introduced this measure in order to run out of business to give their partner the opportunity business in this whole exercise. Madam President, there is a madness, there is a trick behind every measure that has been introduced by this Government. This measure is not a light one and we will have more to say about that at the appropriate time. Madam President, in clause 6 of the Bill the Minister is seeking to amend the Port Authority Act by inserting a new section 35A which would exempt the Port Authority from all value added tax.

Madam President, we have no problem with them helping the Port Authority but they are going to exempt all plants, all machinery, all appliances, all apparatus, all equipment, all materials of every kind whatsoever, whether acquired locally or imported. Madam President, no definition has been given, no time frame has been allocated, we are being asked to sign a blind cheque, Madam President, and we want to ask the Government, why this sudden love for the Port Authority? Madam President, I would tell you the answer. You must go to 127—pages 127 to 130 of the 2022 budget where the Government has indicated their plan to sell out the Port Authority to an unnamed investor. Is it the Chinese they are going to sell it to? Who is going to buy the port, this landlord model? And are these measures,

Madam President, a precursor so that the person who is coming to take over the port will enjoy these benefits? I would like the Minister of Works and Transport and the Minister of Finance to introduce a sunset clause for 24 months to regulate this arrangement and do not leave it open-ended for their friend who they probably are now targeting to take over the port in this so-called new landlord model, Madam President.

Madam President, the Government says in clause 7 they are amending the Income Tax to reduce withholding tax, to attract for foreign investment; I think that is a joke, Madam President. Withholding tax does not exist in the Caribbean. There is no harmonization of withholding tax. That is why companies set up shop here and then they set up, Madam President, a shell company in Saint Lucia or in Barbados where withholding tax is zero. So what is this measure going to achieve, Madam President, in real terms? The Government did not tell us so we do not have much faith in what they are doing, Madam President. This Government is not serious, Madam President.

Madam President, this matter about the amendment to what is called the Securities Act and what is called the Proceeds of Crime Act, I want to ask the question, Madam President, through you, is this ad hominem legislation? The Government has introduced a measure to deal with a scheme called “drug sou-sou” that was running rampant in this country and they have come in this Finance Bill to introduce penalties from \$500,000 to \$5 million, from two years to five years as the case may be. Madam President, they need to come clean and tell us if this piece of legislation, this particular clause or provision is designed to get at the person who is before the courts called Kerron Clarke. That is what I want to know.

**Madam President:** And, Sen. Mark, you yourself just made reference to the fact that there is a matter before the court, I will ask you, please—

**Sen. W. Mark:** [*Inaudible*] Right.

**Madam President:** Yes.

**Sen. W. Mark:** Madam President, we know, Madam President, that two high-ranking Members of Parliament, whose names I will not call, but who are aware of their participation in this “drug sou-sou”. We have their names. We know them.

**Madam President:** Sen. Mark, you cannot make reference to Members of Parliament in that context, you cannot. So I will ask you to withdraw, please, and move on.

**Sen. W. Mark:** I withdraw my statement, Madam President, but we will say at the appropriate time outside of this Parliament who these people are.

**Madam President:** Sen. Mark, withdrawing means—

**Sen. W. Mark:** I withdraw.

**Madam President:**—“I withdraw”.

**Sen. W. Mark:** I withdraw. Thank you, Madam President.

**Madam President:** Thank you.

**Sen. W. Mark:** Madam President, allow me to share with you some disturbing and troubling concerns we have as the alternative government, as it relates to this Bill. When it comes to the Miscellaneous Taxes Act, Madam President, the Government is inserting a new section called 62B to vary the rate of Green Fund levy to small and medium enterprise companies that are listed on the stock exchange for a period of 10 years, and the Green Fund levy for small, medium-sized enterprises will be calculated at a rate of zero per cent for the first five years, Madam President, and 50 per cent thereafter. And when you go to clause 8, Madam President, you are seeing the same arrangement being made for the business levy for the same period of time. Madam President, I would like to ask the Minister of Finance to explain.

No one has a problem with business being listed on the stock exchange but I

looked at the two businesses that are listed there, Cinema One and Endeavour Holdings Limited. Madam President, we are concerned, it is less than one year that the Government came here and gave these small, medium-sized businesses zero corporation tax for the first five years. Madam President, one year is about to pass or has just passed, what has happened? The Government has not accounted, Madam President, for what has happened with the corporation tax that we have lost.

**12.30 p.m.**

That business that I have just mentioned, Endeavour Holdings, they said they gained \$7 million as a result of this particular measure. They did not tell us in their report how many jobs they have created. So are we giving away moneys to this particular company without getting in return, Madam President, any value for our society? How many jobs they have created? How much capital they have invested in new enterprises? We have no such information. And I call on the Government to tell us: What is the value they are adding for the revenue that we have forgone?

And now, Madam President, before the year could pass, the Government has now come back to this Parliament to give away more money. They are saying that these people will pay no Green Fund Levy. These same people will pay no Business Levy. But you are calling on the ordinary man and woman in this country to pay property tax.

**Hon. Senators:** [*Desk thumping*]

**Sen. W. Mark:** But you are giving away, Madam President, you know, all kinds of exemptions, all kinds of incentives, all kinds of concessions to businesses. We have no problem with business, that is part of the capitalist ethic and economy. But, Madam President, there is need for transparency and accountability in what

we do and the Government must come clean and account to this country what are we getting in return for all this money that we are giving away. Why do you not exempt or zero rate all the value added tax on food items in the country so that the poor people can benefit from this? Instead, Madam President, it is concession, exemption, incentive for business. Yes, give them but let us have accountability. But also, give the poor people, give the ordinary people, Madam President, give them something. They just “cyah” be hewers of wood and drawers of water all their lives, that is unfair.

Madam President, another point I would like to pay attention to is the point that deals with incentives to these banks that are being given what is called a lot of incentives as a result of they providing soft loans to small and medium-sized businesses. Madam President, we do not know—and I want the Minister to account—how much interest we are going to lose in terms of revenue forgone on their collective income or gross income via their decision to provide below market rate interest for small and medium-sized businesses? How much are we going to forgo, Madam President? They need to tell us. You are going to give Scotiabank, Republic Bank, FCB, RBC, Madam President. But we are not getting from the Minister, who spoke for 45 minutes, what benefits will our society derive from this measure? How many jobs will be generated by this measure? Madam President, how many businesses have gone through the crack? We have gotten information that over 6,000 small and medium sized businesses have collapsed in this country. So we want answers on this measure.

And, Madam President, what role is the bank or are the banks playing in this whole adjustment process in this pandemic period? So are we to provide the bank with all the taxes that they would have granted to our people through lower interest rates? So are they not citizens of this country? Should they not be paying—making

a contribution? Why must we now refund them, Madam President, by exempting them from interest via the Corporation Tax Act? Something is wrong, Madam President, and we are calling for answers on this measure that is before us.

Madam President, the differently-abled people, whilst they welcomed the various exemptions that were announced in the budget as it relates to certain items that will now be exempted from value added tax and customs duties, the association wishes to propose for the consideration of the Government the following. They are saying, Madam President, that all electric vehicles should be—that are two years and/or under when they enter, all of them should have noise-making devices on them, Minister of Works and Transport, so that persons who are blind and who cannot hear properly, could actually hear these vehicles when they are navigating the streets. There should be a penalty for any owner who removes these noisemaking devices. That is a proposal being made by the Blind Welfare Association. They want the Government to deal with it.

Madam President, they also are saying in the face of continuous changes in technology, the association would like the Minister to be authorized the power to issue letters to the Customs to assist the blind in accessing new gadgets or devices whenever new ones are added to the list. This power already resides in the Minister of Education who has the authority to approve all educational items to enter the country tax free. So I think it is important, Madam President, that this matter be addressed by the Government of this country through the Minister of Works and Transport and through the Minister of Health or the Minister, I should say, of Social Development and Family Services, Madam President,.

So, Madam President, these amendments are very critical. Let us also look, Madam President, at clause 9 of the Bill which:

“...would amend the Petroleum Taxes Act by inserting a new section 26G to



give an allowance equal to 30% of expenditure, up to a maximum of \$500,000.00, to companies which incur expenditure in carbon capture and storage...”—as well as—“enhanced oil recovery.”

Now, Madam President, \$500,000 is not a lot money for a major project. But when we talk about enhanced oil recovery, it can include, Madam President, many types of operations including water, steam or gas injections, chemical flooding and carbon dioxide injection. So it may, Madam President, be applied to operations beyond carbon capture. Reinjection of natural gas is beneficial to the environment as methane is more harmful than CO<sub>2</sub>.

Madam President, other activities, like steam injection, may in fact result in more carbon dioxide being produced and therefore, this allowance is intended to benefit the oil and gas companies and this is something that we have to pay very careful attention to.

Madam President, when we give foreign investors allowances to their work and to make money and improve the lives of their shareholders, we call that incentives. And that is a good thing, as far as the Government is concerned, for them. However, we do not do the same thing when it comes to our people. When we offer them these incentives, which are called subsidies, we term these things to be a bad thing, Madam President. And therefore, we need to pay attention at these matters—on these matters so that, for instance, we would be able to better appreciate that there is need to provide the kind of incentives to our people in these circumstances.

Madam President, I would like to ask the hon. Minister as well whether the \$500,000 that has been given to the manufacturing sector is going to be applicable also to the agricultural sector? Because no mention of it was made in the presentation or in the documentation that we have before us.

Madam President, as I just want to get back briefly to the small and medium enterprises. Madam President, I have a study which was done in 2010 by the Central Bank and in that study, Madam President, they were able to define what was meant by small and medium-sized enterprises. In that study of which the now Governor of the Central Bank was the author—one of the two authors of this document—they defined small enterprises as employing six to 25 people and having an asset base of between 250,000 to 1.5 million and with annual sales of 250,000 up to 5 million.

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

**Sen. W. Mark:** Yes, Ma'am. And in terms of medium-sized enterprises, we are talking between 26 and 50 workers with an asset size of 1.5 million to 5 million and an annual sale of 5 million to 10 million. Madam President, what we are seeing is a kind of injustice in our Stock Exchange and the Government is providing incentives to organizations, who at this time and based on an analysis of their 2021 annual report, have an asset base of close to \$900 million. And when you look at retained earnings, it is over \$500 million. But yet still, Madam President, we are being told that those companies are small and medium-sized companies and they get onto the Stock Exchange because there is a minimum of 5 million and a maximum of 50 million. Something is wrong, Madam President, and we need to examine this thing very carefully.

Madam President, I know I have a few moments left. Let me say that this Government of the PNM they are only concerned about uplifting themselves, financiers of the party, family members of the party and not the ordinary people. We have a lot of businessmen operating in the Cabinet of this country. We have, Madam President—and I have evidence to show where many, many Cabinet members are involved in activities where they do not pay stamp duties.

**Sen. The Hon. Gopee-Scoon:** Point of order, Madam President, 46(6).

**Madam President:** Sen. Mark, you are imputing improper motives. So I will ask you to desist, please.

**Sen. W. Mark:** Madam President, it is a fact, and you can guide if I am wrong on this, that it is now in the public domain that there are certain Cabinet Ministers—

**Sen. The Hon. Gopee-Scoon:** Point of order.

**Madam President:** Madam President—

**Sen. The Hon. Gopee-Scoon:** Point of order.

**Sen. W. Mark:**—allow me to continue my points.

**Madam President:** Sen. Mark, there is no need for you to continue the point. The Standing Order is clear and Cabinet members are Members of the Parliament, whether in this place or in the other place, and you cannot impute improper motives to Members of Parliament.

**Sen. W. Mark:** Madam President, may I say that there are people operating in this society who occupy high places and who are able to use their offices to escape paying stamp duty in this country on properties, whether it is land or building. But we, on the other hand, the ordinary people are being called upon, Madam President, to pay property tax whilst others are getting away scot-free because they are not paying stamp duty.

**Hon. Senators:** [*Desk thumping*]

**Sen. W. Mark:** I am not talking about anybody in the Cabinet. I am talking about high people in this country and society, Madam President.

And, Madam President, I want to say, in closing, some people are calling for Watson Duke to choose. Madam President, there are high people in this country who remain directors of well-established companies up to 2018 and 2019, and they were actively involved, they were serving two masters and they never gave up their

office or their offices but they are now telling other people and so on to do it.

And as I am on this last point, Madam President, may I advise this Government that the United National Congress is very firm. We are not in favour, and I want to repeat, we are not in favour of mandatory vaccination in the island of Trinidad and Tobago.

**Hon. Senators:** [*Desk thumping*]

**Sen. W. Mark:** So I want to warn this Government—

**Madam President:** Sen. Mark, you have a few seconds.

**Sen. W. Mark:** Yes.

**Madam President:** But I will ask you to be relevant to the matter at hand, please.

**Sen. W. Mark:** So, Madam President, as we deal with these measures before us, all we are saying is that this Government has brought measures, not to improve the lot of the ordinary people, not to improve the lot of the marginalized and the vulnerable, not to improve the lot of the working class in our country who are becoming poorer and poorer but it is designed to improve the lot of the rich, the minority, the elite in our country. And this Government is really a rich man Government, a big shot Government, a Government that does not have an interest in the majority of our citizens in Trinidad and Tobago and that is why Tobago shut them out—

**Madam President:** Sen. Mark, your time has expired.

**Sen. W. Mark:**—and Tobago—[*Inaudible*]

**Madam President:** Sen. Seepersad.

**Sen. Charrise Seepersad:** Thank you, Madam President, for the opportunity to contribute to the debate on the Finance (No. 2) Bill, 2021. Madam President, since the budget debate about two months ago, both international and local events continue to have significant influences, both positive and negative, on the finance

and economics of Trinidad and Tobago. The recently concluded COP26, the November 2021 United Nations Climate Change Conference, attempted to attain more urgent commitments in a shorter time frame from governments and the fossil fuel industry.

Trinidad and Tobago participated in the conference and we must now take a harder look at both short-term and long--term strategies for harnessing the energy opportunities at our disposal. At the same time, world inflation is on the rise and it is troublesome for moving our economy forward. The Central Bank, recognizing the increasingly dire prevailing financial circumstances, has recently made it possible for lending institutions to ease the burden of loan repayments for both businesses and individuals. The pandemic is again a major concern for this country as well as internationally. While the Government does not intend to curtail business activity further, everyone is feeling the pinch and day-to-day living is uncertain and difficult to say the least.

Madam President, these are just a few instances of how dynamic the financial situation has become. Net zero by 2050 initiatives, coupled with increasingly erratic weather patterns, will only exacerbate the situation for citizens, especially the lower-income citizens. Given these influencing economic conditions and a paucity of current and reliable leading or lagging statistics, I believe the Finance Bill contains significant measures which are major drivers of economic activity in the country. Consequently, I would like to make the following observations on a few key measures.

Clause 5, 10 and 12, electric vehicles: Madam President, I am really heartened that we finally recognize that climate change demands serious attention and focus. Energy transformation, from oil and gas to renewable energy to diversify our economy, is critical to Trinidad and Tobago's survival. The world is

already shifting to electric vehicles.

In keeping with Government's encouragement of a green economy and to reduce the country's carbon footprint, the Government is removing all customs duties, motor vehicle taxes and value added tax on the importation of battery-powered electric vehicles effective January 01, 2022. While the intention is to reduce the country's carbon footprint, there may be other favourable outcomes at the national level.

Shifting consumers towards electric vehicles while sacrificing lost revenue from duties and taxes initially could, one, assist in reducing the recurrent foreign exchange costs associated with the importation of traditional internal combustion engine vehicles.

Two, encourage consumption of cleaner, subsidy-free gas generated electricity. Now, I am assuming that electricity tariffs are adjust in a timely manner.

Three, accelerate private investment in related infrastructure industries such as charging stations, service companies, repairs, et cetera. This is without the Government nurturing these industries.

Automobile dealers and other entrepreneurs could also stand to benefit if they position themselves to quickly meet changing consumer demands and patterns in the automotive space. The key dependencies include: strategically locating and adequate charging stations, not just one. Ideally every electric vehicle owner should have a private charging unit using whatever energy source is available, winds, solar, hydrogen, et cetera, and they need farms to generate clean, environmentally friendly energy to supply the charging stations.

Clause 9: Greenhouse gas reduction allowance up to 30 per cent of actual expenditure up to a maximum of \$500,000. The Minister of Finance outlined in the

2022 fiscal budget the specific new tax allowance for investments in enhanced oil recovery and carbon capture and sequestration.

Madam President, while this is a step in the right direction, the credit seems too low for the measure to have much of an impact. However, I expect that this issue will be addressed in a comprehensive reform programme.

Madam President, while the measures in clauses 5, 9, 10 and 12 are good first steps, we need to do more. The outcome of COP26, the Glasgow Climate Pact, November 2021, while it is a compromise, all facets of climate change were highlighted. We must pay attention and act decisively if we are to survive.

Major energy companies, such as BP and Exxon, are pivoting their businesses to becoming integrated energy companies committed to net zero by 2050. This includes emissions associated with the use of hydrocarbons. BP and Shell have committed to develop in Trinidad and Tobago two grid-scale renewable energy projects for delivery by 2022. In the upstream sector, DeNovo Energy and Trinity Exploration recently announced their intention to introduce low-carbon technologies into their facilities. Trinidad and Tobago will therefore be severely negatively affected by these worldwide policies and the financial contributions of the hydrocarbon energy mix will significantly decrease by 2050.

Madam President, the reality is that all the world's hydrocarbons that are discovered or not discovered will not be produced but left in the ground. All production facilities will become obsolete. To emphasize, the objective is to cease fossil fuel production and use by 2050. This begs the question: How will the world economy transform raw materials derived from fossil fuels and used in almost 6,000 everyday products? There will be worldwide competition to produce as much oil and gas as possible. This means that there will be country-to-country competition to attract as much exploration and production possible. Royalties and

rents will have to be reduced to attract investments, therefore Government income will be reduced. Logic suggests that the current high prices in the oil and gas environment is not sustainable.

With respect to natural gas, Morgan Stanley research in the article “Resetting the Deck, Quantifying the Energy Crunch”, October 06, 2021 states:

Over the next five years, we expect demand growth to average approximately 3 per cent, roughly half the rate of the prior five. Furthermore, we forecast that erosion from renewables in the power sector will lead peak US gas demand in the late 2020s with modest annual declines thereafter.

Madam President, however, we need to aggressively explore and develop Trinidad and Tobago’s oil and gas assets and use these financial resources to fund the country’s future. A comprehensive national energy policy should include measures to, one, accelerate the development of oil resources on and offshore in the shortest possible time frame. This includes further incentives for private capital and partnerships to support development of resources held by Heritage Petroleum.

Two, increase exploration and development work in shallow water nurturing gas fields.

Three, increase exploration in deep water.

We need—we urgently need a national strategic plan to ensure we maximize all possible opportunities and move the country forward in a structured way. This positions Trinidad and Tobago to be well placed in the energy transition for the foreseeable future. And the plan cannot be treated as many others, by being abandoned and left to gather dust and cobwebs on a shelf. The views and inputs of technocrats and a wide cross section of the society will augment the quality and transparency of such an endeavour.



The plan should include, one, a diversification agenda to substantially increase exports outside the oil and gas sectors and should comprise sectors such as manufacturing for export, financial services, creative industries, digital platforms, transshipment, ship repairs and maritime-related services.

Two, measures to incentivize existing operators in the upstream and downstream to make investments required to reduce carbon emissions to create less carbon-intensive energy exports, support research and development and investments in carbon-capture and storage, support further development and investment in hydrogen.

Three, policy regulation that allows private citizens to invest in home solar systems. Madam President, numerous homeowners will definitely take advantage of this.

Four, a national strategy for the introduction of electric vehicles and the phasing out of internal combustion vehicles over time. And this includes measures to support the development of electric vehicles charging networks across Trinidad and Tobago.

Clause 8 and 11: small and medium enterprises stock market initiatives. Increased incentives for new listings on the small and medium enterprises market tier is to be introduced from January 2022. This includes, one, a full tax holiday for the first five years following listing on the Trinidad and Tobago Stock Exchange. And two, a 50 per cent tax holiday for the second five years post-listing. The tax exemptions include corporation tax, Business Levy and Green Fund Levy. At the present time, there are only two stocks listed on the SME market tier: Cinema One Limited and Endeavour Holdings Limited.

Madam President, the benefits to companies include: access to capital, heightened company profile, credibility of the SME and an exit platform for

private equity investors. However, as the Minister of Finance stated, SMEs would be subject to rigorous financial scrutiny if listed on the SME market exchange. This is progressive. However, a short-term situation of listings could be challenging in the current environment. With business performance notably weaker, the economic environment highly uncertain and investor confidence waning, listing success will require strong evaluations and/or strong business cases. Potential companies may be very wary in the prevailing challenging operating environment which has led investors to be more discerning when participating in new investment opportunities.

**1.00 p.m.**

Clause 8, Technology and the Digital Economy: Manufacturing companies would pay 25 per cent tax corporation tax on the first \$100,000 invested in 2022 and 2023 in projects related to information technology, digitization and technology development. This is another step in the right direction. However, Madam President, the impact of the global digital economy is a serious threat to Trinidad and Tobago's economic activity; Amazon, Netflix, Google, Twitter and Meta for example, are taking away media market share from businesses while having no local economic footprint. They drain foreign exchange without significant cost. They will simply create digital platforms and provide connectivity among consumers and accrue wealth to the platform owners. This activity has provided the platform owners with massive amounts of personal data on consumers, and with data mining produce profiles for marketers. These digital profile platforms are designed to exploit world consumers via the internet. In Trinidad and Tobago economic activity is about consumption and not about local wealth creation. The Government should be concerned about how to get some of the wealth generating activity of the digital economy by creating a global value chain. This includes

building platforms and devising a system to get taxes from these platforms locally. Madam President, modernization and amendment of the legislative framework as it pertains to e-commerce is critical.

**Cryptocurrency:** Cryptocurrency is no longer a fad. Major investment companies and corporations are investing in digital transactions and some governments are legalizing the use of bid coins. Local enterprising individuals are using Binance, a cryptocurrency exchange company for trading in digital currency. They are also investing in the digital mining hardware and software to increase income. Through you, Madam President, to the Minister of Finance, are you considering the introduction of digital currency as legal tender? Cryptocurrency trading is done using primarily—

**Madam President:** Sen. Seepersad, if I just—

**Sen. C. Seepersad:** Sorry.

**Madam President:** If I could just point out, ask you to kind of pinpoint what you are treating with in the Bill. All right, because you have veered a little way. I have given you some leeway to make your points, but remember that we are dealing with a Bill, even though it is a Finance Bill it is very specific. Okay?

**Sen. C. Seepersad:** Certainly, Madam President. Could I just, I have like two seconds more and then I will move on to clause 8?

**Madam President:** Sure. But even in the two seconds what I am trying to point to is relevance, so I will ask you to bear that in mind as you continue.

**Sen. C. Seepersad:** Yes, I am guided. Thank you, Madam President. Cryptocurrency trading is done using primarily US dollars and is invisible. Transactions are secured in a block-chain environment so that the unauthorized access is impossible.

Clause 8, conservation or preservation of properties certified by the National

Trust of Trinidad and Tobago: The allowance of up to 150 per cent of actual expenditure up to \$1 million. I am extremely gratified that long last we are making some attempts to preserve our heritage for future generations. So much of our past heritage has been lost. In fact, the Red House where we are today is a heritage site. Madam President, according to UNESCO heritage encompasses tangible and intangible, natural and cultural, movable and immovable and documentary assets inherited from the past and transmitted to future generations by virtue of their irreplaceable value.

The term heritage has evolved considerable over time. Initially referring exclusively to the monumental remains of cultures, the concept of heritage has gradually been expanded to embrace living culture and contemporary expressions. Unfortunately, much of the focus is on the animated culture, is specifically carnival which takes precedence over other forms of culture in terms of marketing and appropriation of funds. Consequently, inanimate cultural products, specifically the architectural heritage and historic landmarks of the country are considerably neglected and inadequate provisions are made to ensure their preservation. We as a people need to prioritize the preservation of our world for ourselves and for future generations.

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

Mr. Vice-President, managing the country's finances and expenditure in these times is a herculean task. Therefore shrewd application of limited and scarce resources cannot be overemphasized. Citizens are falling by the wayside and it is our responsibility to ensure that the livelihood of the most vulnerable is taken care of. Ignoring the needs of citizens has consequences. Mr. Vice-President, I thank you.

**Hon. Senators:** [*Desk thumping*]

**The Minister of Public Administration (Sen. The Hon. Allyson West):** Mr. Vice-President, thank you for allowing me the opportunity to contribute to the debate. Mr. Vice-President, again, I listened in amazement to the contribution made by Sen. Mark, and I often wonder when I listen to Sen. Mark whether he reads the Bills that are before us, whether he understands the contributions that are in the Bills, whether he listens when we lay the Bills to understand what the provisions are about. But then he makes it worse by going on to say things that contradict his own statements, so I wonder if he listens to himself.

For example, Sen. Mark said in one breath, why are we giving the banks relief on interest on loans paid to small business, and then one second after he asked, what are we doing for small businesses that are going out of business because of the pandemic? Sen. Mark that is exactly one of the things that we are doing. We are doing several things, but one of the things we are doing is giving incentives to the bank to give affordable loans to the small businesses. So, Sen. Mark I am not even sure, Mr. Vice-President, if Sen. Mark listens to his own contributions. Sen. Mark commented again about the fact that the economy is in a mess, this Government does not know what is it doing, and questioned the reliance that we can place on the IMF's projections when the IMF got the 2020 projections so wrong.

Mr. Vice-President, everybody in the world knows that the IMF's projections throughout the world were wrong, because when those projections were made in 2019 nobody anticipated COVID, and Trinidad and Tobago is not the only country negatively impacted by COVID. Every country in the world is suffering economic hardship as a result of the cost incurred and the implications falling out of COVID. So for Sen. Mark to come to this Senate to try to persuade the public that the Government of Trinidad and Tobago is being incompetent

because this economy is in the state that it is in is just an intent to mislead. If Sen. Mark looks back in our history he will have to acknowledge that we have systematically reduced the negative growth and we were heading towards positive growth as the IMF correctly projected in 2019, and then the world was hit with the pandemic, the COVID-19 pandemic. So the state that we are in terms of the economic position is squarely as a result of the pandemic that faced the world. So I trust that the public recognizes that and ignores the utterances of Sen. Mark in this regard.

Sen. Mark once again says that the Government has no strategy for the recovery of the economy, and nothing could be further from the truth. We have said time and time again that the Prime Minister in his wisdom, shortly after the pandemic was announced, pulled together a team of highly respected persons in society, public sector, private sector, even members or people who are—members of the Opposition, current and past, to come up with a plan for the recovery of the economy. It is called Road Map to Recovery. And we are all following that road map to get us out of this economic position as early as the possible. So we do have a plan. We do have a strategy and we are working towards implementing that plan and that strategy. Sen. Mark again indicated that the tax concessions in the legislation are for the few, are for the parasitic oligarchy, and that the rest of the country are being made by these provisions and other measures to suffer more by the Government.

Mr. Vice-President, I am going to deal with a few measures in the legislation while my colleagues deal with the others, and none of the measures put any burden on the members of the public. In fact they are there to do two things. They are there to provide tax relief to the members of the public, to encourage them in certain desirable activity, and they are also there to improve our position regarding

emissions of harmful gases so that we can protect the nation and the world for the benefit of the 1.4 million people almost immediately and the rest of the population of the world. So I do not know on what basis Sen. Mark has concluded that these provisions are here to help a few.

So, Mr. Vice-President, getting into the measures that I am going to address. Section 18(a) of the Income Tax Act is being amended to provide relief to first time homeowners. How is that a measure to benefit the oligarchy? Heaven alone knows. This first-time homeowners allowance was introduced in 2003 for that income year and it is to encourage persons who have been more and more impacted by the price of housing in Trinidad and Tobago to encourage them and put them in a better position to afford to purchase their first home. And how it does this, it allows a first-time homeowner who purchases or constructs a home to claim a deduction of what is currently 25,000, but this Bill is seeking to increase it to 30,000 in every year of the first five years from acquisition or construction of that house. So it provides them with some tax relief which frees up some of the income that would otherwise be taxed to better facilitate their ability to afford these houses. That is what we are seeking to do.

The homeowner to qualify for this relief only has to be able to establish that they are in fact the owner, that they have paid the property tax that is due on the property in the relevant year, and that is it, and then they can claim up to, going forward from 2022, once this Bill is passed, they can claim \$30,000 in an allowance every year to reduce their tax liability and give them more spending income. That is relief available to all, not to the parasitic oligarchy. Section—this is, I am dealing, Mr. Vice-President, with clause 7. Clause 7 also provides further relief to the general public, and it provides relief in respect of deductions for pension and annuity payments. Now one of the difficulties that is faced in this

country and the Government of Trinidad and Tobago has to treat with it every year, because we are obliged to provide support for retirees who are not able to financially support themselves through the social development programmes.

So one of the things we seek to do in the tax legislation is to encourage and incentivize persons to provide for their own retirement income. And we do this through giving them deductions for contributions that they make towards their pension plans and deferred annuity plans and the National Insurance Scheme. The deduction that they can currently claim is \$50,000 a year, and what we are seeking to do is increase that to \$60,000 a year to encourage people to save more. Because as the standard of living becomes more expensive and as people get older and therefore become more medically challenged and so on and have to spend more money, more of their income on medical and other things that when they are younger they do not have to, they need to ensure that they have a sufficiently robust pension plan to allow them to afford these things. So what the Government has been doing systematically in this year, we seek to do it again, is to provide them with a deduction against their income by encouraging them to save towards their pension earnings. And this is the provision that is the amendment to section 28(15) of the Income Tax Act.

Sen. Mark made some derogatory comments regarding the Government's proposal to reduce the withholding tax rates, and he said there is no withholding tax in the Caribbean, which is far from the truth. Almost every jurisdiction throughout the world including Trinidad and Tobago imposes withholding tax on payments made to non-residents. Now, most people in the country would be aware of PAYE. PAYE is the system by which an individual who earns employment income is taxed. He is taxed in a way that allows his employer to withhold tax from his salary and pay him the net amount. So that the income is withheld at



source to ensure better compliance, is the objective. Withholding tax is a similar approach in terms of income earned by non-residents. Because a non-resident who is not operating in Trinidad and Tobago would normally be a difficult person to tax because he is not here, he does not have assets here, it is a general rule that the Government can go after. So what the Government does is tells the person who is making the payment to the non-resident, you withhold the tax and pay it over to Inland Revenue and pay the non-resident the net amount that is due.

So Trinidad and Tobago has that system. Withholding tax is payable on dividends paid out of profits earned by persons who are not residents in Trinidad and Tobago, and it is also paid on fees. The amendments that we are seeking to make today relate to payments on dividends. So when you have a non-resident who invests in Trinidad and Tobago—in a Trinidad and Tobago company, that is company generates profits, and out of those profits the non-resident is paid dividends. What the Trinidad and Tobago Government does is to tell the local company paying the dividends, you need to withhold tax on those dividends. So one of the things that a foreign investor will consider in determining whether to invest outside of his own country, and in which country to invest, is how much tax will his income bear when profits are generated. The higher the rate of tax the interest will bear is the more likely he will be to reconsider his options in terms of investment. So in seeking to encourage foreign investment to diversify the economy, we are seeking this year to reduce the rate of tax that a non-resident investor will pay on profits that his investment in Trinidad and Tobago generates. That is the objective.

Yes, there are schemes which allow people to structure their affairs so that they can minimize or avoid withholding tax, but those schemes cost money. And when they engage in those schemes it negatively impacts in Trinidad and Tobago,

because, yes Sen. Mark you can set up a company in St. Lucia in an attempt to avoid withholding tax in Trinidad and Tobago. But I know as a former tax adviser, that a company that has the option to set up a fairly artificial organization in another country just for the purpose of avoiding tax, or given the choice to pay a reduced and affordable rate of tax in the country where they actually earn their income may well up to do that. So by reducing the taxes what we are encouraging the foreign investor to do, is not only to bring his income in but to take it out in a way that is more direct, that allows him to pay an acceptable amount of tax from his perspective, and for Trinidad and Tobago to recover some taxes. And I think that this provision and the rates that we are proposing will encourage people to more directly interact with Trinidad and Tobago, and to expatriate their funds in a way that allows Trinidad and Tobago to get some tax benefit.

Moving on to clause 9, Mr. Vice-President. The Petroleum Taxes Act is being amended to give a deduction to company who incur expenditure in investing in carbon capture and enhanced revenue recovery. What the proposal is, that we will allow companies to deduct 30 per cent of any expense incurred in those two activities, carbon capture and enhanced revenue recovery up to a maximum of \$500,000. Carbon capture use and storage is the process of capturing carbon dioxide before it enters the atmosphere, transporting that carbon dioxide and storing it. And the aim is to prevent the release of carbon dioxide from heavy industry into the atmosphere with the objective of mitigating the negative impact that carbon dioxide has on climate change. What Trinidad and Tobago is seeking to do is to encourage people involved in those industries that produce heavy carbon dioxide to capture and store those emissions into our natural geological formations which the world has found this the most efficient place for storage of these things, to make our contribution to saving our climate.

So as the world targets net zero carbon emissions by 2050, and the expedited targets set—and having regard to the expedited targets set by the recently concluded COP summit, it is recognized that investors in countries that are heavily industrialized are not able to eliminate carbon emissions from their production process. And therefore the solution to that is to capture and store and hopefully use that carbon dioxide. The technology available for carbon capture and use allows us to capture as much as 90 per cent of the CO<sub>2</sub> emissions from power plants and industrial facilities, and ideally put that to use in a positive way. So instead of polluting the atmosphere we are using the carbon dioxide positively. We can use it in enhanced oil recovery, either locally or we can sell the carbon dioxide to other persons involved in the oil industry. We can use it for the manufacture of jets and other fuels, building materials and so on. And very importantly we can use it to convert natural gas to blue hydrogen or clean hydrogen. So there are lots of positive opportunities from pursuing this goal, which is one of the reasons why we think it not only allows us to assist in fulfilling our obligations to the world to reduce our carbon emissions, but it allows us to get involved or explore the opportunity of getting involved in other cleaner beneficial activity and industry. So this is a measure which I urge you to support.

Clause 10, Mr. Vice-President, seeks to amend the Second Schedule of the VAT Act to add to that schedule a list of zero-rated items, all for either the benefit of the citizens impacted, not the parasitic oligarchy, or to promote the reduction of carbon dioxide emissions. So what we are seeking to do is amend the VAT Act to allow—to zero rate things like walking canes, white canes, mobility canes, braille typewriters, and all articles are certified by the Minister for the benefit of mentally and physically—that are required for mentally and physically handicapped. So that this is to benefit groups of vulnerable people in Trinidad and Tobago. So I do not

know how Sen. Mark can say that this budget, that this Bill is for the benefit of the parasitic oligarchy. I do not know if he is calling our mentally and physically challenged members of the parasitic oligarchy. So we are seeking to relieve these items from that, and were seeking to also relieve them from import duty. On that list of items that we are zero rating from VAT and import duty are electric motor vehicles being imported for private use. So my colleague will deal more fully with that issue, since it falls within his mandate. But just to recognize that the intention is to provide full relief from taxes in respect of items needed by the mentally and physically handicapped, to provide more support to that vulnerable group, and to provide full relief of taxes to persons who are importing electric motor vehicles for private use, for the benefit of the environment, and to protect the globe which we call home.

Now one of the things before I close, Mr. Vice-President, Sen. Mark also commented on, was we are giving this \$500,000 benefit—this is in respect of carbon capture—to the energy companies, why are we not giving the same thing to the person involved in agriculture? And that shows a clear misunderstanding of what the provision is. This provision which is encouraging energy companies to capture carbon emissions is a deduction which will reduce their tax liability and put them in a better position financially to afford to invest in this carbon capture technology. You cannot give a tax deduction to a group of people who have no tax liability. And we would have indicated to this place and to the national public that we have removed all taxes from persons involved in the agricultural sector. So to say to us today, why are we not giving a tax deduction to the agricultural sector is to either demonstrate that you do not understand what we have done for the sector—for the benefit of the sector because they pay no tax, or to try again to mislead the public.

So, Mr. Vice-President, as I indicated, the provisions that I have addressed, and I would bear to venture the other provisions in the legislation, are there for the purpose of providing relief to member of the public at large to promoting Trinidad and Tobago's contribution to the creation of a green society, of a green world, of a healthier world to prevent further climate—negative impact on the climate, and to encourage economic activity for the benefit of the country and all. It is not at all a benefit, it is not at all a Bill that is intended to benefit the fortunate few that are well to do in society. It is a Bill for the benefit of everybody, and I recommend the approval of this Bill to the Senate. I thank you, Mr. Vice-President.

**Hon. Senators:** [*Desk thumping*]

**1.30 p.m.**

**Sen. Anil Roberts:** Thank you, Mr. Vice-President. I join the debate on Finance (No. 2) Bill, 2021 and it was amazing to hear the hon. Minister of Finance talk to the people of La Brea once again about some investment coming to La Brea. But the people are waiting on the ply board factory five years now, they “cah even geh ply board, they cah get cardboard, they cah get no board”. Then the Minister of Finance said that the PNM is coming to invest in our economy and create jobs; 3,000 jobs down in La Brea, nothing to do with this Bill, but 3,000 jobs with some pie in the sky idea for La Brea now, three in construction and another 3,000 jobs whenever that thing finishes. But the people in Trinidad and Tobago are also waiting for a port in Toco that this PNM Government bought a *Galleons Passage* for \$120 million since 2017. They buy the vessel but they “ha no port”. The port “eh even dig, the port eh mark out, the port eh plan out”, but they are coming back to tell the people about what they are going to do to increase jobs.

The hon. Minister of Public Administration, she came to say that the PNM understands what is necessary for investment and she is talking about withholding

taxes. Maybe she did not understand what Sen. Mark said, he called two territories where withholding taxes are. But she claimed that he meant the entire Caribbean. But it is very interesting that this hon. Minister knows so much about taxes and investment and encouraging investment. However, for the last year there was negative US \$439 million of foreign direct investment.

**Hon. Senators:** [*Desk thumping*]

**Sen. A. Roberts:** So the people who are supposed to invest do not know that the PNM is so intelligent and understands investment. Everybody in the world with money is running from Trinidad and Tobago and running from the PNM. EXXON now is going to run and take all of their service industries, billions of dollars out of Trinidad over to Guyana, following all other companies because no one wants to put up with the PNM.

Imagine the hon. Minister spoke about COP26. I think as a Member of the PNM you should never want to speak about that. The most damning day in the history of Trinidad and Tobago for us to look at our Prime Minister get on a plane after driving a golf cart and drinking Gatorade with COVID-19 on it, and then going up to the COP26—

**Mr. Vice-President:** Hon. Senator.

**Sen. Gopee-Scoon:**—Point of Order.

**Mr. Vice-President:** Sen. Roberts, please.

**Sen. A. Roberts:** These are not facts, Sir?

**Mr. Vice-President:** Sen. Roberts, it is not relevant to Bill that is before us. So keep it relevant to the Bill that is before us. Thank you.

**Sen. A. Roberts:** I am responding to COP26 that the hon. Minister brought into the debate and they are talking about the green economy. And what we must do is we must thank the PNM, because the green economy has started Madam Minister

of Trade and Industry, it started in Tobago with 14:1. We are turning the whole island green and yellow just now.

**Hon. Senators:** [*Desk thumping*]

**Sen. A. Roberts:** In the worst period in our nation's history our beloved country is besieged by the perfect storm of external pressures, domestic challenges and complete and total incompetence of a clueless, heartless, arrogant, blind PNM Government. This Finance Bill is the PNM's answer. This Finance Bill presents measures that the PNM believes are going to assist our economy and our people. Yet every clause in here, as we will go through clause by clause, they make the rich richer and the masses more marginalized. This is the implementation of the PNM's Roadmap to Recovery. That is what this is. This is the implementation of their budget promises, yet this PNM roadmap has been purchased by the rich and the wealthy, the haves, while the poor, downtrodden average citizen is left lost without GPS to navigate the incessant, unavoidable potholes of the PNM's failed economic prescriptions.

How can the PNM be so blind, so deaf, so arrogant, that in the face of a tsunami of discontent which eliminated them of their stronghold of Tobago and which only awaits the opportune moment to complete its political devastation in Trinidad, the PNM stoutly refuses to change course. This roadmap has been written on the consciousness of the elitist PNM, clearly in indelible ink. Therefore, there is but one solution. This debilitating knee on the necks of 99 per cent of the citizens, the total and complete annihilation of this suffocating PNM and all its apologists from the corridors of political power in our beloved country must happen and must happen now. The PNM must go—

**Hon. Senators:** [*Continuous desk thumping*]

**Sen. A. Roberts:**—and this Finance Bill is the best example of them being totally

out of touch with the people of Trinidad and Tobago. The people of Trinidad await their turn to follow in the footsteps of their wise, bold and brave brothers and sisters of Tobago. The hon. Minister of Finance came into this hon. Senate and when discussing an element here which is meant to make pyramid and Ponzi schemes illegal and criminal, he cited media reports. The Minister of Finance? I thought I was going to listen to hear some financial reports, investigative reports from the FIU, from the Central Bank, some sort of National Security Council information, something serious. But we read the same media reports. We read media reports that will foster great relations in this DSS, but we do not come here to debate media reports.

We expect that a government would have inside information coming here to criminalize an activity that many people because of the lack of opportunity of the PNM are forced to take risks because they want to survive. The PNM comes now to attack DSS based on media reports. But on this Ponzi scheme and this pyramid, the descriptions in clause 13, very detailed. I could not understand how they went into all of this detail to attack this so-called Ponzi scheme and DSS. They called in specialists, police, they got involved in police investigations and come here without information to define what a Ponzi scheme is. But the danger of that is by clause 13, and you are changing 165A(1):

“For the purposes of this Act, “prohibited scheme”—will now—  
“means a scheme in which—”(a) and (b) and (c).

This could be Amway. So anybody involved in Amway selling and so on, for the last 25 years, they could be in jeopardy based on this definition here of a Ponzi scheme, because Amway you get earnings by the number of people you get into Amway, you get increased earnings the higher up you are. So are we to say that the citizens must now, who are involved in legitimate exercises of business, must now



be afraid of the PNM because DSS, they have to attack the “Drug Sou Sou”?

So the Minister of Finance has a lot to explain, because when I looked at the definition of this pyramid and Ponzi scheme, when they say that you get and you increase membership and when you increase membership at the bottom it is like a pyramid and at the top you get much more benefits and the more people you fool or trick into joining at the bottom, the ones at the top make benefits, it sound like PNM. Because the Cabinet of the PNM seems to be enjoying the largesse of fooling the entire base of the population and the 210 recusals.

**Hon. Senators:** [*Desk thumping*]

**Sen. A. Roberts:** So I am asking if the PNM fits into this definition.

**Sen. Gopee-Scoon:**—[*Inaudible*] Standing Order 46(4), 46(6)—

**Mr. Vice-President:** So Senator, again, just when you are making your contribution try to keep it as tightly as you can to what is in front of us.

**Sen. A. Roberts:** I am speaking to what is in front of us. I am not sure the Minister of Trade and Industry—

**Mr. Vice-President:** Senator—

**Sen. A. Roberts:** In your definition, clause 13—

**Mr. Vice-President:** Just, just keep it tight—

**Sen. A. Roberts:** Very tight.

**Mr. Vice-President:** —and do me a favour to as well, just push the mike a little away from you because you can speak loudly enough so that it helps—

**Sen. A. Roberts:** Yes, all right. I “doh” want to rattle you, Sir, if I rattle you right now after Tobago I want you to stay calm, I like you to be relaxed.

Madam Minister, clause 13, I am not sure if you read your own Bill. It says:

“165A. (1) For the purposes of this Act, ‘prohibited scheme’...”—will be—

- “(a) a business is structured in...a way that the returns an investor...client earns is directly tied to the number of persons he recruits...
- (b) the amount of income a person earns while participating in the scheme depends on his rank in the scheme...
- (c) the amount of income a person earns while participating in the scheme is directly tied to or  
depends on his success in recruiting other persons...”

This is the definition of the PNM Balisier House Cabinet. So I do not know if you read your Bill.

Clause 2, for example, now we move into the Bill. Clause 2 tries to say that the PNM is going to play Santa Claus. This PNM without a National Statistical Office that we heard in the budgets of: 2016, 2017, 2018, 2019, 2020; no National Statistical Office, CSO statistics that are delayed, the Central Bank's statistics that make no sense to a rational individual. For example, they claimed that only 1,700 people lost jobs between September 2020 and December. With no information, the PNM comes here to put an exact figure of 42 per cent to give back to people who paid licensing fees.

How did they work out that? What information did they have? What statistics did they use? How many businesses have shut down over the last 22 months? How many people applied for grants? How many received these grants? How many people were able to pay these licensing fees? Where did this 42 per cent fall from? Did it fall like the Covid-19 Brazilian variant and Delta variant out of the sky flying on a corbeaux to infect our people as we sacrificed and disciplined ourselves to live up to the strictures of the PNM? Where did it come

from? What is this 42 per cent? Where did the hon. Minister of Finance fabricate this number from?

The other impacts to the businesses, you are claiming that if you give them a 42 per cent rebate on what fees they paid, that that somehow would be a panacea for the pain that the PNM prescriptions have pervaded on the society. What about the businesses that had less revenue overall because of your failed policies? What about the less clientele because of your confused masking and changing of health regulations without any aspect? What about the lack of vaccinations and hesitancy which led to less people being allowed to go into the smart, safe zones which are now spreader zones because the efficacy of the vaccines that you vaccinated most of us have been eliminated? What about these effects? Has this been calculated in your 42 per cent? How did the PNM arrive at this 42 per cent?

Clause 10, and imagine clause 10 says that they are going to remove—10 and 12—VAT and customs duties from electric vehicles and bringing those not older than two years. Is the PNM really a serious government of the people? Do you understand how expensive an electric vehicle is? Only people who own châteaux in France and so on, could buy electric vehicles. Which citizen in Trinidad and Tobago is going to have the money in a pandemic that has been mismanaged by the PNM, where over 200,000 people have lost jobs, where 44 per cent of businesses will never open, who “ha” money to go and buy a big fancy electric car. This is not like Porsche selling in licensing without transfer. This is a serious investment and poor people do not have money for this. This seems like the electric vehicles could only be bought by Cabinet Ministers. This Bill is for the PNM Cabinet that is out of touch with reality.

**Hon. Senators:** [*Desk thumping*]

**Sen. A. Roberts:** What poor person is going to buy an electric car? Last year I sat

in this very Parliament and I heard the hon. Minister of Finance put tax back on hybrid vehicles and electric vehicles, just last year. So what changed between the PNM's vision from last year to now? You take off tax last year and you put back tax last year and now you take it off, but you only take it off for the highest end. Who could buy an electric car? Then Tesla, people know, US 40,000, US 50,000, US 70,000, multiply because of the foreign exchange crunch, because the Minister of Trade and Industry has not been able to create and generate any foreign direct investment. We cannot even get US. People are buying US outside for \$8. When you multiply US 50,000 by eight, you are talking 400,000 starting before it lands. Who has 400,000 to go and buy an electric vehicle?—but you say this is the budget for the people. That is why the people who you are selecting, who you are choosing to help, those are the few people who remained in Tobago in that one red seat.

Heavy trucks now. All of a sudden my hon. Minister of Works and Transport, like trucks “dey” was on COVID so they could not exercise, “truck get fat”. All of a sudden, the trucks bigger and “badder and mashing up road” more than in the last 20 years. I would like the Minister when he is coming, because he has not jumped into the debate yet, show me, tell me, give me the statistics on how these trucks have swollen in this last year to make the roads in Trinidad and Tobago the worst that we have ever seen in the history. Even previous PNM Governments were not so bad at managing roads. Down to my Senatorial colleague, David Nakhid “nearly reach here for this Senate today because them dodging pothole and buss two tyre and two rim”.

The roads are in a deplorable state but the PNM can accept no responsibility for their incompetence, so they come here to blame truck man now. “Dey going to fine truck man because truck man mash-up hole.” They have some road up by me,

home by me in Diego Martin, no truck could come up “dah” hill, but they have 12 potholes. Between the Minister of Works and Transport and the Minister of Public Utilities, they should be in the most holy place because they have damaged the roads, they have let our infrastructure become a deplorable level that any form of maintenance is not working. So to come here and to blame truck men is really disingenuous from this PNM that cannot even manage the most meager of tasks.

Now, we move to the Port Authority. I heard the Minister of Finance boasting all of a sudden that the Port Authority could go and purchase equipment. Let me see this, clause 6, let me read it clearly for the people, eh:

“The Port Authority Act is amended by inserting after section 35, the following section:

35A. Notwithstanding anything contained in the Value Added Tax Act, all plant, machinery, appliances apparatus, equipment and materials of every kind whatsoever, whether acquired locally or imported by the

Authority for the purpose of carrying out its functions under this Act, shall be free from value added tax.’.”

Really? Why? When this Government said they are selling the port, privatization is the way to go. They have a preferred bidder. It is going to be sold. Why are you allowing now the government agency, as the Minister of Finance described it, from left pocket to right pocket they seem to know that in the Cabinet, because when you step out for a recusal left pocket, left hand in your pocket, right pocket stay “dey” and approve a Cabinet note. But this—yes, Madam—

**Sen. Gopee-Scoon :** [*Inaudible*]

**Sen. A. Roberts:** I did not impute anything on anybody.

**Sen. Gopee-Scoon:** 46(6).

**Sen. A. Roberts:** Sure, okay.

**Mr. Vice-President:** Okay, okay. All right, Sen. Roberts, just be very careful because imputation can come from inferences as well. So just be very careful going forward.

**Sen. A. Roberts:** Yes, Sir, I will be very careful. I notice some people jump up quick because before you could impute they know what I am talking about. That is very good. So, why now? You are going to sell a port but now all of a sudden you let your government port agency go to invest and buy new equipment, new machinery, new everything VAT-free when you have a preferred bidder. Could this be that you are going to utilize these VAT breaks with the Government Port Authority board and then this new bidder, private sector is going to get the benefit of having all this brand new—

**Hon. Senators:** [*Desk thumping*]

**Sen. A. Roberts:**—equipment without having to pay VAT. How can any government say when they state their open policy that they are going to sell something, now come here to mamaguy the population and say, the Government is now going to equip a port that they are going to sell to somebody and all the new equipment will be VAT-free. Now, if that is not wrong, I do not know what is. I do not need to impute, I think the population can read between the lines because every clause in this Bill has a benefit to someone close to the PNM and it is not right because the people are suffering.

**Sen. Gopee-Scoon:** Standing Order 46(6).

**Mr. Vice-President:** So, yes, Sen. Roberts, again those types of comments are not allowed because it is imputing improper—I am not going to repeat it, it is imputing improper motives. So just be—like again, I am warning you, be careful about the lines that you are stating and the comments that you are stating. Make your contribution, keep it in terms of what is in the Bill—

**Sen. A. Roberts:** Yes.

**Mr. Vice-President:**—and then move forward.

**Sen. A. Roberts:** Clause 6, yes. So the Government is going to sell the port, privatize the port, but now they come here today to let the government port buy all the billion-dollar equipment without VAT and then they are going to sell that equipment to a private sector person, a preferred bidder that they will choose, very interesting. They are insisting on forcing people to pay property tax. They even come here to change the word, the terms from “Lands and Buildings” to “Property Tax” because the Tobago message was not clear, it is not resonating in the ears of this PNM. It is not resonating in the Port of Spain, in the Balisier House that is going up in the air. I hope that we can have all of the bills for Balisier House also, because you say that the small and micro enterprises are afraid of transparency, said the Minister of Finance. He said that they did not come up, only two companies took advantage of being listed on the stock exchange because they were afraid of transparency, accountability, and probing.

So therefore you are trying to incentivize small and micro, small and medium enterprises to get listed on the stock exchange after 23 months of a failed pandemic war in which small and micro enterprises have been eliminated from the lists, from the roles. How many businesses have shut down? While we should be there trying to incentivize businesses to restart, to give them capital injection, to give them incentives to get back out there to get the employment churning, we are now trying after half of the businesses have failed to incentivize, to join a stock exchange. It does not make sense.

Furthermore, the Minister said that some of these family businesses are afraid of transparency, accountability and probing, because if you have one share in a company, you could come and ask a question. Well, he should definitely know

about that, because they run the Government like these family companies that are afraid of probing and answering questions.

**Hon. Senators:** [*Inaudible*]

**Mr. Vice-President:** So, Sen. Roberts you are making your points and then you are going further to imputing improper motives when you make the comments like the one you made just now. That is not necessary and I am warning you for a second time it is not needed. Please refrain from doing that. Continue.

**Sen. A. Roberts:** I thank you, Sir, I take your warnings, lots of warnings. Making banks in—clause 8 is very interesting. There are a few businesses that have made money despite the debacle that is the PNM's pandemic fight. Some of those are food, groceries and pharmacies. The food price inflation that has come from global shocks, cargo and domestic incompetence, and then there is another group that is being very profitable. And we read about it in the newspapers all the time, the banking sector boasting about billion-dollar profits after tax, before tax, all over the place. But yet this PNM Government comes to ensure that they protect the banks who may offer, based on the Government's guarantee some assistance even though people were not able to qualify for it or companies were not able to qualify it. You come to offer the banks a sort of a pat on the shoulder to protect them, to make sure that they do not lose too much by offering low interest loans to those high risk people that may need help out.

While this is interesting, I ask the PNM, all this thought, this passion, this heart and creativity to protect the billion-dollar profits of the banking sector, where was this for the small man? Where was this for the taxi driver? Where was this for the maxi driver? Where is this for the single mothers? Where is this for the children, the 46,000 children who have not logged on in the last 14 months? Where is this passion? Why is this PNM Government only passionate about the rich? You



all have to switch. This rich and switch is not working. That is why Tobago went green and Trinidad is waiting to go yellow, so call it. Instead of all the arrogance call it and let us go.

The Minister of Finance said, phase one, nobody took up the opportunity and the investment. So it looked like nobody lives there in phase one of the plan, so he comes to phase two. And will we see anybody living there? Well, they have less people living there because businesses have shut down. They claimed to increase and incentivize research and development; research and development giving tax breaks in clause 8 and this Government has no clue. Research and development is enhanced, that is a higher order need. If you utilize Maslow's principles but you utilize it in a business or a small and micro enterprises sector, research and development is when you can handle, you have survived. You can make your payments, your ongoing costs are being covered and you want to expand, your core business is operating well and you need to make investments for future revenue streams. Right now people in Trinidad and Tobago, businesses in Trinidad and Tobago are in survival mode. Yet, this PNM does not understand that. They come to incentivize research and development. Who has money for research and development?

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

**Sen. A. Roberts:** Five—already, Sir? I could “geh” extra time please? Then we see that also they are coming to give an incentive for those activities that take place in the national trust and protected environment. But I ask this PNM Government, since you are coming to incentivize national trust and forest and our flora and fauna, is it true that a PNM financier and friend has been awarded by the Cabinet 70 acres down in the bird sanctuary which is touching National Trust property? Is that true, yes or no?

**Mr. Vice-President:** Senator, remember I keep warning you about that particular line where you are imputing improper motives. So again, this is the third warning now. You have five more minutes left, continue your contribution, just be careful.

**Sen. A. Roberts:** With all due respect, Sir, you know I do not argue with you. But that is not imputing I am stating a fact that this Cabinet has approved 70 acres to a gentleman who is in charge of the zoo. I am asking them when they get up, to speak and confirm whether I am correct, it is 70 acres of which a percentage of the land touches the acreages.

**Sen. Gopee-Scoon:** 46(6)

**Hon. Senators:** [*Desk thumping*]

**Sen. A. Roberts:** So I am not imputing—

**Mr. Vice-President:** We are not engaging a conversation but what you just said now is not what you said before, because what you said before was something completely different and that is why I am saying stay away from it in its entirety and just continue.

**Sen. A. Roberts:** Thank you, Sir, I hope that they will answer. The Minister of Trade of Industry, please. We see that the Government comes here to take off, very good, taxes off equipment needed by the differently abled. We would like you to continue that vein and put back Kamla's grants to the differently abled for their education, their textbooks, their laptops and their schooling. So if you love the differently abled do not go quarter way.

Furthermore, we would also humbly request that the PNM Government does not stand up and allow a rum company, Angostura, to build play parks for our children in Princess Elizabeth Home with Ministers making speeches. Because rum and differently-abled—rum and children “doh” mix.

This PNM Government is totally out of touch, they bang and sit here with

arrogance. If you wanted to remove VAT off port items to sell the port, why did you not remove VAT off of all food items and basic items? Why did you not move VAT and customs duties, licensing fees off of all funeral homes, caskets and materials as people cannot afford to bury their dead from this COVID-19 debacle and murder rate in November, of 77, which was the highest. Why do you not consider that? Why do you not consider open pyre cremations, removing that arbitrary ban without science, attacking the Hindu faith by stopping them from being able to send their loved ones off. If you care about people, why does this Finance Bill, why does it not address that.

Why is there no corporation tax for—why not suggest, because SMEs are struggling rather than a research and development grant, why not consider a corporation tax waiver for 24 months for new SMEs coming forward to create the gap in employment that exists now because of your failed policies? Why not provide startup capital for over 9,000 businesses that shut down? Why not bring a Bill for transparency in foreign exchange allocation as everybody in this country does not know where the US dollars are going, but the citizens cannot get? Why mash up sou-sou to promote another global finance company from on the Avenue? Why not give free rapid test kits for all families with children under 12 so that they could take care of their children and if school is ever going to start back, that they would be able to test and move forward smoothly and in safety. Why not come and do that? If owed VAT refunds, why not give the companies an equitable VAT-free, the similar number of VAT-free months to the amount owed to them. So if I am owed six months' VAT refund, give me the next six months VAT-free so that I do not impact the Government's cash flow position but I enhance and I give opportunity for investment with companies that are struggling. I put cash in the hands of companies so that they could employ my people. If owed refunds from—

well, hon. Attorney General looks like he is going to enter the debate. He promised me over a year that I will get my refund from my \$350 for my licence, I have not gotten it yet and 1,000 or so other citizens have not received it so I hope that he will give us back our refund instead of giving us more tickets and putting us under more pressure. The PNM must do your job, do not come and blame the citizens, do not come and tax the citizens, do your job that you are paid for. I thank you, Mr. Vice-President.

**2.00 p.m.**

**Mr. Vice-President:** Attorney General and Minister of Legal Affairs.

**Hon. Members:** [*Desk thumping*]

**The Attorney General and Minister of Legal Affairs (Hon. Faris Al-Rawi):** Thank you, Mr. Vice-President. May I just be reminded of the speaking time in the Senate, please?

**Mr. Vice-President:** Thirty minutes.

**Hon. F. Al-Rawi:** Thirty minutes. Thank you, Sir. Mr. Vice-President, the last speaker regaled us with lot of passion, fast talking, loud sounding, passionate, asking us to have regard for a number of matters which I will address one by one, talking about value for people's situation, condition, talking about the haves and the have nots. I can answer the hon. Senator with one word, LifeSport—

**Hon. Members:** [*Desk thumping*]

**Hon. F. Al-Rawi:**—and I can ask the hon. Senator, in the reply that I make to part of what he said, where was that passion when Trinidad and Tobago was subjected to \$500 million—

**Hon. Members:** [*Desk thumping*]

**Hon. F. Al-Rawi:**—nearly half a billion dollars of expenditure that found itself in the hands of criminals before the courts of Trinidad and Tobago? Where was the

voice of the then Minister, now Senator who just spoke, in defending the taxpayers of this country from double dipping and triple dipping? Where was the voice of the hon. Senator when a box lunch served in the LifeSport programme was going for TT \$100 in payment to the persons who supplied it when the actual cost was \$7? Where was the passion of the hon. Member in ensuring that gang activity did not end up in allegations of murder in this country?

Mr. Vice-President, you see, the word of caution to Sen. Roberts, a man who has a history such as that should be very careful to give advice to the people of this country.

**Hon. Members:** [*Desk thumping*]

**Sen. Mark:** 46(6) and 46(8).

**Mr. Vice-President:** 46(6) and?

**Sen. Mark:** (8), respectively.

**Mr. Vice-President:** Okay. So, Senator—Attorney General, sorry, as much as you are now starting your contribution, could you move forward quickly and get to the Bill that is in front of us? Thank you.

**Hon. F. Al-Rawi:** I am on the reply—thank you for your guidance—and on the Bill, and I am entitled to a reply in this House on matters raised. And—

**Sen. Mark:** Is the AG challenging you, Sir?

**Hon. F. Al-Rawi**—in addressing the matter before us—

**Sen. Mark:** Is the AG—

**Mr. Vice-President:** Okay. Okay. Okay.

**Sen. Mark:**—challenging you?

**Mr. Vice-President:** Okay. Okay.

**Sen. Gopee-Scoon:** What is your concern?

**Sen. Mark:** Yeah, I am concerned.

**Mr. Vice-President:** Sen. Mark—

**Sen. Mark:** The Vice-President has ruled.

**Mr. Vice-President:**—there is no need to allow this Chamber to fall into disrepute. I have ruled. Attorney General—

**Hon. F. Al-Rawi:** Thank you for your guidance, Sir.

**Mr. Vice-President:**—continue.

**Hon. F. Al-Rawi:** And in replying to the debate to the matters put on the public record, so that they are not cemented into the records of *Hansard* by the irresponsible advocacy presented to this nation today from Sen. Roberts, I will simply say he is no person that this Government will take any advice from.

**Hon. Members:** [*Desk thumping*]

**Hon. F. Al-Rawi:** None at all. So let us deal with clause 3, let us deal with clause 13 of the Bill and let us deal with Sen. Roberts' advice to this country, Sen. Roberts' statement to this Parliament, to this Senate, that this is legislation designed to treat with a matter that he named, which is the DSS matter. Let me at the outset say, I am compelled to answer in particular detail because of the rule in the case of Liyanage, a Privy Council decision, where the concept of ad hominem legislation went into Parliament records and were used in the courts to set aside legislation later on. And let me say that Sen. Roberts demonstrated for the second time in this country, for the second time in a parliamentary debate, a serious shortcoming and danger to this country, and let me explain what I mean.

Sen. Roberts today in alleging—as Sen. Mark started to do but was stopped—that this clause 13 tied to clause 3 is designed to treat with the DSS matter, Sen. Roberts did exactly as he did when he spoke in the section 34 repeal on *Hansard* and named the persons before the courts. Mr. Vice-President, I can tell you it was Sen. Roberts' contributions that found themselves in the Privy Council

considerations as to whether the repeal of section 34 was ad hominem. And today, Sen. Roberts has repeated, as he does, by providing assistance to persons who are before the courts. So let me deal with the records now, Mr. Vice-President, as I compelled to do.

**Sen. Mark:** 46(6), Sir.

**Mr. Vice-President:** So, Attorney General, as much as I understand where you are responding to something that was said by the previous speaker, there are two things that I am going to ask you to be very careful with: one, the fact that that particular topic that you are talking about now is before the courts, as was indicated before by Madam President when she made the ruling. And secondly, that as much as you are responding to what was said and giving an understanding of why it was said, just be mindful that it could also sound as though there is some sort of imputation coming from there. So just be absolutely careful as you move forward in understanding that it is a very thin line that is being walked. Continue.

**Hon. F. Al-Rawi:** Thank you, Mr. Vice-President. I am doing my duty as the Attorney General. I thank you for your guidance. Sen. Roberts was given a very wide latitude without interruption for nearly six minutes—

**Sen. Mark:** Mr. Vice-President—

**Hon. F. Al-Rawi:**—on certain issues which I am speaking to—

**Sen. Mark:** —is the Attorney General challenging your ruling, Sir?

**Hon. F. Al-Rawi:**—at this point right now. I am not giving away because—

**Sen. Mark:** Is the Attorney General challenging your ruling, Sir?

**Hon. F. Al-Rawi:**—there is no Standing Order before me.

**Mr. Vice-President:** Okay. Okay. This is getting out of hand. So I have ruled and when I rule, Sen. Mark, allow me to manage the Chair as it is my duty to do so. The Attorney General has—

**Hon. F. Al-Rawi:** Thank you.

**Mr. Vice-President:**—responded. When I rule, just understand what I am trying to say and then move forward.

**Hon. F. Al-Rawi:** Mr. Vice-President, I thank you for your guidance. I have moved on and I am continuing as I must in discharge of my role as the Attorney General to treat with matters that I am obliged to treat with.

**Sen. Mark:** Would a Member of Parliament—[*Inaudible*]—the rules.

**Hon. F. Al-Rawi:** So, Mr. Vice-President—

**Mr. Vice-President:** Sen. Mark, I just said allow me to do my job. There will be no more outbursts. Continue, Attorney General.

**Hon. F. Al-Rawi:** Thank you, Mr. Vice-President. In treating with clause 13 and in treating with the direct and uninterrupted statements about the DSS matter and in being guided on the sub judice principle, as I am, I am obliged to continue to advance my submissions as follows: one, this law as proposed in clause 13 is to treat with a definition of prohibited schemes.

Prohibited schemes as set up and brought into clause 13 are very carefully constructed to ensure that the very most vulnerable people in this country are protected from the abuse of money laundering, terrorist financing and criminality. For instance, the type of criminality that the country knew about in LifeSport where moneys came through into systems such as these, the experts in the working group that the Government relies on, which is the Trinidad and Tobago Securities Exchange Commission; the Financial Intelligence Unit; the Central Bank of the Republic of Trinidad and Tobago; the Financial Intelligence Unit; the National Anti-money Laundering Committee, these entities in consultation with the Caricom Secretariat, with the Financial Action Task Force which is monitoring us in relation to Recommendation 26 and with the Financial Action Task Force which



is looking at us in relation to Recommendation 35 of the Financial Action Task Force rules which are being applied by the European Union, all of these entities tell us protect your most vulnerable.

The most vulnerable are exposed—and clause 13 is developed to protect against fast cash devices. Fast cash devices, which Sen. Roberts would know well, again, featuring where you have the stories of ghost gangs, where you have people who turn up and charge for facilities—

**Sen. Mark:** Mr. Vice-President—

**Hon. F. Al-Rawi:**—all of us are quite familiar—

**Sen. Mark:**—Standing Order 46(6) and (8), respectively.

**Mr. Vice-President:** Continue, Attorney General.

**Hon. F. Al-Rawi:** In this country, fast cash devices, as this population is well aware of, where we have seen the abuse of the most vulnerable, largely people who are without bank accounts, what we call the “unbankable”, there is a call across the platform for people to place moneys.

Now, our society has been built upon very legitimate structures, for instance, the concept of sou-sou. Sou-sou is an African cultural dynamic for microfinancing that is specifically excluded from clause 13 of this Bill, coming from the African structure call “asue”, a-s-u-e; coming from their term s-u-s-u, “susu”. In that type of structure, there is a community investment in a regular dynamic which allows for a utilization of the pooled resources in a cyclical fashion. In the concept that we seek to criminalize today, we are looking to plug the gaps in money laundering legislation, the securities legislation and also, in the Financial Institutions Act.

In dealing with this mechanism to protect the most vulnerable, we are seeking to ensure that quick rewards where you see \$4,000 input today come back in two weeks and you will get back \$60,000, that have been the subject of

advertisements in this country, that are the subject of allegations of criminality, in those types of arrangements persons are exposed to exploitation. And clause 13 adopts a model—one of four models which were examined, those models being whether you bring amendments to your consumer protection laws, whether you look at fair trading laws, whether you look at securities legislation or whether you look at standalone legislation, the model which we adopted to treat with this is in the Securities Act.

Why in the Securities Act? In the Securities Act, if we do not amend the law as we proposed in clause 13, you are going to be fighting with whether fast cash devices, passed off as sou-sou which is a legitimate device, whether those fast cash devices can be considered to be an investment contract within the definition of a security in the Securities Act.

If you look at section 4(1), you look at section 6 of the Securities Act the definition of a “security” includes an investment contract. And if you look at an “investment contract”, the requirement is that you are not merely managing the investment “on the basis of the number of people that you bring” but that there is a substantial connection to an actual legitimate activity. So for Sen. Roberts to talk about Amway and to try and confuse people is nothing more than what I call “LifeSport-ism”, if I may use that expression, something that is designed to fool people in the most abusive way possible. There is no confusion in the investment arrangements in this structure here. An investment contract, if we rely on the law as currently drafted without amending it as clause 13 proposes, you will be fighting to see whether you qualify as an investment contract.

Now, if you look to the established case law coming out in 1946 in the case of *Howey*—H-o-w-e-y—if you look to the specific coin, Canadian coin examples coming out of Canada, you will understand that it is imperative that we separate

out illegitimate arrangements from legitimate arrangements. There are elements of investment contracts that you have to have. Now, whilst certain types of fast cash devices have been held to be investment contracts within the definition of the Securities Act, what we see as in the Trinidad and Tobago general terms of ability does not take us into the safe zone of a determination of being an investment contract. And therefore, we are put outside of treating with those types of contracts as a fraudulent device under the Securities Act or as a security which was not registered. So the security which is not registered is in sections 61 and 62 of the Securities Act. Fraudulent devices are in section 98 of the Securities Act.

So without the definition of being in the basket of an investment contract, a definition of a security, there is no protection of an adequate type into these arrangements. Now, we could stretch for the assistance provided by the Financial Institutions Act but that does not bring us into safe harbour. You see, unlike Sen. Roberts, the Government cannot sit down and watch thousands of people abused by fast cash devices. That would be as insane as taking \$500 million, half a billion dollars of taxpaying dollars and pouring it into LifeSport. That would be as insane as taking \$34 million and paying it to an individual under the direction of a Cabinet Minister and watching nothing come back to you. It is only in that kind of insanity—

**Sen. Mark:** Point of order 46(6) and (8), respectively.

**Mr. Vice-President:** So, Sen. Mark, you keep raising 46(8). Do you know what 46(8) says?

**Sen. Mark:** Yes, conduct. He is raising the conduct of a Member.

**Mr. Vice-President:** No, Sen. Mark. That is the wrong Standing Order under 46(8). As it relates to 46(6), continue Senator—Attorney General.

**Hon. F. Al-Rawi:** So, Mr. Vice-President, if we were to leave clause 13 outside of

the Bill and not protect against fast cash devices, could you imagine the betrayal to the citizens of this country? A repeat of a LifeSport-typed structure; \$34 million dollars for nothing, half a million dollars for nothing. That is like, what you would call it, “Hoop of Life structures” where you bring in a basketball player to lift up a celebrity in the country to throw a hoop, to have absolutely no form of regard for the taxpaying dollars of this country.

So fast cash devices, much like fast talking people, loud, aggressive, fast talking people, these are the characteristic features of con men and—

**Sen. Mark:** Mr. Vice-President—

**Hon. Members:** [*Desk thumping*]

**Sen. Mark:**—Standing Order 46(6) and (8). The AG is the last person who should be taking about con men. He is the biggest con man in this world.

**Hon. Members:** [*Desk thumping*]

**Mr. Vice-President:** Sen. Mark, sit, sit, sit.

**Sen. Mark:** He should not be calling—[*Inaudible*]

**Mr. Vice-President:** Sen. Mark—

**Sen. Mark:** [*Inaudible*]

**Mr. Vice-President:** Sen. Mark, I am on my legs. This type of behaviour will not be tolerated. There is a way that we conduct business in the Senate of the Republic of Trinidad and Tobago. Attorney General, in relation to the statement made, again, be careful of the language being used. Continue.

**Hon. F. Al-Rawi:** Thank you, Mr. Vice-President. So the population being exposed in these types of fast cash devices to con men—

**Sen. Mark:** Mr. Vice-President—

**Hon. F. Al-Rawi:**—fast talking, loud shouting—

**Sen. Mark:**—46(6). I call on the—

**Mr. Vice-President:** Sen. Mark, Sen. Mark—

**Sen. Mark:**—President to instruct the Attorney General to withdraw this word “con man”. He cannot put on the records of our Parliament that a Member of our Parliament is a con man. Withdraw that statement, please.

**Hon. F. Al-Rawi:** I said no such thing.

**Mr. Vice-President:** So, Sen. Mark, from what I understood the Attorney General just indicated, he did not indicate that a particular Member is a con man. He was speaking to a particular type of transaction. And therefore, I overrule that particular Standing Order just raised. Attorney General, continue.

**Hon. Senators:** [*Desk thumping*]

**Hon. F. Al-Rawi:** Thank you. So when we look to the protection of the vulnerable against these fast cash devices and you look to the definition of a Ponzi scheme, a Ponzi scheme promises:

- “• High”—investment—“returns with little or no risk.
- Overly inconsistent returns.
- Unregistered investments.
- Unlicensed sellers.
- Secretive”—and/or—“complex strategies.
- Issues with paper work.
- Difficulty receiving payments.”

Those are the characteristics of Ponzi schemes.

If you look to the characteristics of pyramid schemes, not far off:

- “• No genuine product or service is sold;
- Promise of high returns in short period of time;
- Easy money or passive income;
- No demonstrated revenue from retail sales;

- Buy-in is required;
- Complex commission structure; and
- Emphasis on recruiting.”

This is not unfamiliar to Trinidad and Tobago. We have seen this. We have seen it in LifeSport, we have seen it the payment of \$34 million, we have seen it in many places, Mr. Vice-President, but in defining a structure for avoiding this kind of abuse, that is where clause 13 comes in. So clause 13 sets up for us—if you look to the language of clause 13, Mr. Vice-President, it is very clear. We are going to define “prohibited schemes”, business is structured in the way set out in the proposed 165A(1). And in treating with this prohibited against services, we are meeting with utilization of the Securities Act as the vehicle to provide protection.

Now, we can elect, in our consumer protection laws, to engage in a similar form of structure. We can elect to do certain amendments to the Moneylenders Act and I should tell you that the Office of the Attorney General and Legal Affairs is looking at that. We can look at the draft consumer protection Bill which is in circulation and in particular, clause 80 of that particular Bill. We can look to the Caricom models but for immediate purposes, we must provide the protection.

Secondly, in looking at achieving satisfaction of Recommendation 35, which is the use of administrative sanctions for allowing for compliance with laws, we propose to raise the limit from \$500,000, the ceiling for administrative fines, to \$5 million.

Now, why are we doing this? We know that we amended section 156 of the Securities Act previously. We have not amended section 156A as in “Alpha” of the Act. Why do we do this? This country must remember the FCB scandal where the initial public offering under the UNC government, as it then was, brought on under the hand of the then Minister of Finance Larry Howai, where we saw the

inadequacy of the law go to work such that people who were in the positions of abusing the structure for the IPO, they were subjected to bear minimal fines under administrative sanctions. And therefore, the direct consequence which should be fresh in the memory of Sen. Mark—Sen. Mark sat in another place at that time. He will remember well. He is a student of politics. The hon. Senator sat in a different place and blocked the debate and ventilation of matters that were important to this country, but which fortunately we were able to amend in law. And we come today now in further amendments in this Bill to put right that which another government—let me be specific—which the UNC government that preceded this Government would not put right, Mr. Vice-President. And therefore, to listen to Sen. Roberts and Sen. Mark come today to cry crocodile tears—intellectually speaking—on looking at the benefit for vulnerable citizens in this country, I wonder if it is the same people that the country has assessed from time to time.

Now, Mr. Vice-President, that takes me, of course, to the proposed amendments to the Proceeds of Crime Act which is clause 3. In looking at including these mechanisms for prohibited schemes into the Schedule of the Proceeds of Crime Act, we are looking at therefore enlarging the envelope of treating with people who find themselves with the issue of money laundering. And therefore, devices such as fast cash devices, where people pass themselves off as legitimate schemes, for instance, utilizing sou-sou schemes in general context which we have seen from year to year, the key is not to criminalize the sou-sou which is very legitimate, which has none of the characteristics of Ponzi schemes or pyramid schemes but to make sure that those fast cash devices can be found within the envelope of money laundering. And therefore, the proceeds of crime law goes to work.

In the proceeds of crime law, you would have the amplification of

production orders where the Trinidad and Tobago Police Service, under section 32 and section 34 of the Proceeds of Crime Act, can go in and secure production orders, allowing for an amplification of policing and for evidence to be safely brought before the court. This is separate and apart from devices such as section 4 of the inland revenue Act—the Income Tax Act. As you will recall, Mr. Vice-President, and directly related to this Bill and the amendments to clause 3—sorry, the amendments proposed by clause 3 and clause 13, comes into operation section 4 of the Income Tax Act, which Sen. Mark is very well aware of because he stoutly refused to support it. But it is those types of—

**Mr. Vice-President:** AG, you have five more minutes.

**Hon. F. Al-Rawi:** Thank you. It is those types of tools—and I should say there has been a very useful decision coming from Mr. Justice Geoffrey Henderson just delivered a couple days ago in relation to the Board of Inland Revenue, and production orders, and how they operate in the circumstances of going behind—circumstances that the police are looking at that intersect with the Inland Revenue. Our law continues to develop and therefore, the amendments that we proposed in this Bill are directly related to the peace, order and good governance of Trinidad and Tobago. They are designed with legitimate aim to protect the most vulnerable. They are designed to make sure that we never have to stomach or tolerate a repeat of LifeSport in this country.

**Hon. Senators:** [*Desk thumping*]

**Hon. F. Al-Rawi:** They are designed to ensure that we never have to tolerate or see a repeat of Colour Me Orange—

**Hon. Senators:** [*Desk thumping*]

**Hon. F. Al-Rawi:**—or Hoop of Life, or SIS, or Beetham Wastewater Plant, or anyone of these mechanisms that have no value for the people of Trinidad and



Tobago.

**Sen. Mark:** [*Inaudible*]

**Hon. F. Al-Rawi:** And—I do not know who “mamoo” is that you are referring to.

**Mr. Vice-President:** Sen. Mark, do not scream across the floor, please. Continue, Attorney General.

**Hon. F. Al-Rawi:** Yes. I am often reminded of the ghost of the “bois” that Sen. Mark is so afraid of, Mr. Vice-President.

**Sen. Mark:** [*Inaudible*]

**Hon. F. Al-Rawi:** But in treating with these things—

**Sen. Mark:** [*Inaudible*]

**Hon. F. Al-Rawi:** Is there a point of order?

**Sen. Mark:** [*Inaudible*]

**Hon. F. Al-Rawi:** So, Mr. Vice-President, the legitimacy of the aim of the legislation before us is pellucidly clear and it is imperative that we support in a general concept of development of law, the amendments in particular proposed by clause 3 and clause 13. It is important that we disabuse ourselves of the theory put up by Sen. Mark and the theory put up by Sen. Roberts that this is ad hominem legislation.

Let me for the record, for *Hansard*, for the rule in *Pepper v Hart* and for any challenge that may come, let me say that this law is designed for general purport within the meaning of the Liyanage case. This is not intended to treat with any one specific scenario.

[MADAM PRESIDENT *in the Chair*]

I understand how uncomfortable Sen. Mark and Sen. Roberts may be because when they are caught out, as they have been continuously over the years in the distractions that they volunteer, they are measured and found to be wanting.

Madam President, I thank you for this opportunity to contribute in the manner that I have.

**Hon. Senators:** [*Desk thumping*]

**Sen. Mark:** [*Inaudible*]—

**Madam President:** Senator—

**Sen. Mark:** [*Inaudible*]

**Madam President:** Sen. Mark—

**Sen. Mark:** [*Inaudible*]

**Madam President:** —you have been repeatedly cautioned about your—

**Sen. Mark:** [*Inaudible*]

**Madam President:** Yes. Sen. Deonarine.

**Hon. Senators:** [*Desk thumping*]

**Sen. Amrita Deonarine:** Thank you, Madam President, for the opportunity to contribute to the debate. As you know, it is always a pleasure to be part of the discussion on fiscal policy matters taken by the Government. But, Madam President, before I get into the contents of the Bill, due to the rapidly changing pandemic environment that we currently live in, it is important to look at the global progression of the pandemic in the context of our domestic economy.

**2.30 p.m.**

The last time we met here to speak about budgetary matters or fiscal matters we were worried about the Delta Variant of the COVID-19 virus. Now the pandemic has taken a whole new direction with the emergence of a whole new strain, a whole new variant. This recent turn that the pandemic has taken can dent confidence and sharpen:

“...uncertainty around the global economic prospects...”

—and is likely to cause downgrades in world economic growth projections. So the

IMF has recently stated within this week.

Supply disruptions are now expected to last even longer and inflation is likely to be higher for longer than previously thought. As a matter of fact, the US and the UK are actually showing signs of broad-based inflation. Broad-based inflation is when inflation no longer is concentrated among a few commodities or a few items in a basket of commodities. It starts to penetrate different goods in the basket of commodities that is used to calculate the consumer price index. And what this means is that core inflation around the world is beginning to be affected.

What this means for us? For us, it means that, really, if we look at it very closely and we analyse the situation, it could really mean that economic recovery in Trinidad and Tobago could be threatened. The domestic economy would continue to be impacted by supply chain challenges and inflation will continue to gain momentum in 2022. As such, while it continues to be a difficult task, the Government needs to quickly come up with a blend of policies that take into consideration the repercussions of broad-based inflationary pressures and of protracted supply shocks and the continued high rates of infections and mortality from the virus. The policy options available must take into consideration the extent of harm that has already been caused from the previous lockdowns. Serious considerations must be given to a range of policies that do not involve very significant economic restrictions that can further harm local economic growth prospects, livelihoods and room for the success of any of these incentives outlined in the Bill before us. Madam President, the bulk of my contribution today would focus on clauses 6, 7 and 8 of the Finance (No. 2) Bill which speaks primarily to the amendments to the Corporation Tax Act and the Income Tax Act.

In addressing these clauses in the Bill I want to divert my focus on specifically the small and medium enterprises. Now much of these measures are

meant to assist these small and medium enterprises in coping with the severe economic impact and the lack of access of credit and liquidity. If it is we look at the profile of small and medium enterprises in Trinidad and Tobago, the latest data available on this is back in 2011 where CSO published information on the number of registered businesses that are SMEs and 85 per cent of SMEs form part of all of our registered businesses and they contribute to 30 per cent of GDP in the country. They really contribute a lot to both employment and economic activity generation in the country. So who can really argue with the incentives to make it easier for them to say, as clause 8 indicates, make it easier for them to list on the stock exchange and to incentivize the banks under the SME loan guarantee programme to encourage to lend loans to the small and medium enterprises?

However, what I find is that these incentives are inclined to benefit those SMEs who are more mature or established, which I understand the logic, because the more mature a firm is, the more productive they are and the more potential that they have to contribute to economic growth. But what is equally important is that we need to also look at the smaller enterprises because they do have a tendency to contribute more significantly to job creation as opposed to mature firms.

Now clause 7 of the Bill, the listing of SMEs on the stock exchange, it does have its benefits. Sen. Seepersad actually alluded to a lot of these benefits. But what I am concerned about is whether there is an appetite for listing on the stock exchange for SMEs in Trinidad and Tobago and whether the incentives to list on the SMEs stock exchange—whether the incentive sufficiently negates the direct and indirect cost associated with being a public company, that is, the cost associated with listing, the compliance cost. They tend to be disproportionately higher for smaller firms. Further, are we taking into consideration that in Trinidad and Tobago there is not much of an equity investment culture? Are we ignoring the

fact that SMEs, especially those on the smaller side, simply do not like to have their businesses public yet to say give up any sort of ownership?

Now I understand what the clause is trying to do, the amendment is trying to do. It allows for 30 per cent of the ownership to go to 25 unconnected persons. I understand the logic in that. However, even for some companies, especially the smaller ones who tend to want to keep business concentrated within a family, even that in itself would be a disincentive. And I raise this issue as to whether the advantages, whether these incentives are sufficient to encourage persons to list on the stock exchange because I too, like previous speakers, went to see how many businesses are listed on the stock exchange and yes indeed, there are only two, but, Madam President, these two firms that are listed on the SME stock exchange have been listed there since 2012. So since 2012 to now, only two firms have listed on the SME stock exchange. As a matter of fact, one of them was listed in 2018 and another in 2019. This is prior to even the first set of incentives that were offered in the previous budget to encourage SMEs to list on the stock exchange. So really, careful consideration—we probably need to take a second look at it and look at whether we need to rethink the package of incentives to get persons to list on the stock exchange and also we need to take into consideration the economic climate and some businesses may not be inclined to list on the stock exchange.

Now, looking at clause 6, Madam President, this is the amendment which deals with the—to allow the commercial banks tax exemptions until 2028 on interest, income earned by them on the SME loan guarantee programme. Now I have to commend this SME loan guarantee programme, especially having adapted the programme in phase two to suit the needs of the small and medium enterprises who have undergone severe challenges since the onset of the pandemic. I know that a common complaint under phase one of the programme by SMEs was that

there was continued reluctance by some commercial banks to grant these loans despite part of the funds being guaranteed by the Government. As a matter of fact, commercial banks are more inclined to finance consumption expenditure rather than investment expenditure and this is something that we seriously need to also take into consideration.

So yes, allowing these tax exemptions may influence or encourage these banks to lend money under that SME loan guarantee programme. Yes it is now fully 100 per cent guaranteed by the Government and the Government is now allowing for the late submission or delayed submission of BIR and other statutory requirements. But I think that there is a wider issue here that needs some attention and this wider issue is that it is difficult for smaller enterprises. Because when you talk small and medium enterprises, we have to “kinda” not tend to look at only the medium, more established and more matured ones. There are the smaller ones who are younger and there is the underlying problem that these smaller firms, it is still very difficult for these smaller firms to access financing from the bank.

So, Madam President, one of the primary causes for the high rejection rates by the banks that cause the Government to relax requirements further is the lack of compliance with accounting and statutory obligations. And to me, Madam President, if it is that you are really trying to incentivize these small and medium enterprise companies, when you look at these incentives in the Bill and if you have a large chunk of your SME, a large profile of our SME companies that are not compliant with accounting and statutory obligations, then listing on the stock exchange becomes difficult because you need to have a certain amount of accounting expertise, taxing expertise, risk management expertise. Listing on that stock exchange becomes difficult. Taking up other incentives that are outlined in the Bill with respect to research and development, with respect to the corporation

tax exemptions for technological solutions, digitalization, allowing manufacturing companies to specialize or to investment in digitalization and other technological solution, new product development, it becomes difficult.

So, Madam President, what I am trying to say is that this is an underlying issue. In the financial discipline and integrity of operations of smaller businesses, it tends to serve as a deterrence in accessing financing and this is one of the root causes for the extent of tax evasion and informality in the country. And being a country that—and in all, through many clauses in the Bill, we are trying to promote digitalization and innovation, we are trying to enter the realm of big data, I do not think that we are sufficiently targeting this problem. The greater the push towards digitalization without tackling this high level of informality and the lack of financial discipline of firms, the wider the gap becomes between the informal and the formal sector.

In other words, the more you nurture the growth of the informal sector, and that is something that we are trying to work towards or else, if we do not tackle this now, we would just have a slew of incentives being established in law, we will have a group or a set of structural reforms especially with respect to the establishment of the Revenue Authority and so on and we would have very little uptake on these various incentives. And then you end up in a situation where the SMEs who take up these incentives then end up being the ones who are the more mature ones, the more established ones, the one with the larger capital base and they are the ones who are more inclined to satisfy the eligibility requirements to take advantage of the incentives and then you find that these are the firms that would enter various markets and industries and dominate and continue to dominate as time passes.

So how do you deal with this problem? It always goes back to the available

data. Right? Without proper data on the profile of SMEs, those 85 per cent registered businesses who are SMEs, then they continue to be vulnerable. And what we need to do is really understand the extent to which they play an instrumental role for employment generation and economic recovery. We need to understand several characteristics of these firms. How many of these SMEs are young firms? How many are mature firms? How much young and more mature SMEs contribute to GDP? This detail must be understood so that a delicate balance of policies are designed to ensure that young and smaller SMEs are incentivized.

As I said before, smaller or younger SMEs tend to contribute significantly to job creation. Mature firms contribute to productivity which in turn contributes to higher levels of GDP and economic growth. We need a delicate balance of both. So both the more mature ones and the younger ones need to be incentivized.

So, Madam President, as I continue under the amendment in clause 8(2), I want to reiterate that the conditions for eligibility under the SME loan guarantee programme while the banks are being incentivized and the eligibility requirements are being relaxed, I really am not sure whether the programme is flexible enough to respond to the specific conditions of start-ups, younger firms, those firms who have had to pivot their business model due to COVID-19.

Now I raise this about start-ups because many persons who have lost their jobs have had to improvise and therefore engage in start-ups. These start-ups may not necessarily have access to the assets, track record or financial information or collateral that can be included or captured in the traditional financial system. And so, Madam President, I reiterate that this is where data is critical. We are two years into the pandemic and we still do not know how many jobs have been lost due to the pandemic. How many persons were able to be reabsorbed into the labour force after they have been either laid off or temporarily been out of a job? How many



start-ups have we had? Because anecdotally, there have been many. So, Madam President, we are relying on anecdotal evidence right now based on business chambers, businesses who are willingly coming out to speak out on the number of persons who have lost jobs and—we need this data.

Now, I want to move to the amendment with respect to the capital allowance of 40 per cent up to \$3 million for companies engaging in research and development where research and development refers to the process intended to create a new or improved product. This is a welcomed initiative but again, it is one that would serve to benefit the larger more established businesses who are outside of survival mode right now. But generally, research and development is not an area that we have been performing well in as a country. Do you know that research and development expenditure contributes to less than 0.4 per cent of GDP in the country and averages at 0.1 per cent of sales at the firm level? When you compare that with the rest of small economies who are commodity-based at the firm level, average research and development of expenditure account for at least 5 per cent of sales. This is according to the “Production, Technology and Innovation Survey” that was done by IDB in 2014. This survey was repeated last year and the results are pretty much the same. Only 5 per cent of firms in Trinidad and Tobago have a research department compared to 11 per cent in the rest of the Caribbean. Firms that have a research department are more inclined to engage in product innovation.

But interestingly, from my research, I came across a study that was done locally by the University of Trinidad and Tobago. The title of the study was “Evaluating New Product Development Processes in the Food and Beverage Manufacturing Sector of Trinidad and Tobago” and interestingly what this study concluded was that new product development processes in Trinidad and Tobago followed by manufacturers do not align with international practice and this is

primarily because manufacturing companies in the food and beverage sector are not executing key stages of the new product development processes. They tend to focus largely on industrialization or commercialization which is the last stage of the entire development process for a new product. Little focus is concentrated on idea generation, screening, concept development, testing, prototyping.

So with that being said, it is an indication that innovation is severely lacking in the country and as a matter of fact, a major obstacle to innovation this survey pointed to was that—a big obstacle to innovation was protection from copycats and this is where the IP office, I know that they have been quite active since the start of the pandemic, but this is where the IP office can come in and make some changes or engage with small and medium enterprises to help them protect themselves from that.

So, Madam President, in order to get value added and innovation coming out of this incentive and for firms to take advantage of this, there needs to be a lot of capacity building in research and development and innovation and new product development processes because, as I clearly outlined, the concept of new product development is not entirely completely understood by many of our firms in the country and I would suggest, and I know that CARIRI is also doing some work in this area, I suggest that some collaboration is established with CARIRI.

Madam President, I move on to clause 6 with respect to the VAT exemption to the Port Authority. I noted from the parent Act of the Port Authority that the Port Authority is also exempted from customs duty and excise duty. What I would want to know though is whether this is an indication—this amendment is an indication that the procurement process was completed and a partner was selected for the PPP arrangement to provide investment in marine and port infrastructure facilities and services to manage the operations of the Port of Port of Spain? This

was mentioned in the budget presentation.

And I ask this because having worked in the past looking at the feasibility of a port and logistics hub in the Port of Port of Spain area, I know very well that the equipment and machinery are very archaic and the port continues to be a victim of gross underinvestment in the past years, such that it has significantly affected the efficiency and profitability of their operations. My question then is: How much of these tax breaks are going to be used in rehabilitating the Port of Port of Spain or engaging in this PPP arrangement? What would it include? Is it going to include a new container terminal for accommodating—

**Madam President:** Sen. Deonarine, you have five more minutes.

**Sen. A. Deonarine:** Thank you, Madam President. Is it going to include a new container terminal for accommodating both import and export containers and transshipment containers which would allow for deeper drought berths and allow for the Port of Port of Spain to be able to accommodate transshipment ships so that we can capitalize on the on-port community systems?

Madam President, the last area that I would like to address is with respect to the measures intended to encourage savings by individuals and the Minister of Finance alluded to two of them. One is with respect increasing the pension contribution from \$50,000 to \$60,000 and the other is the first-time homeowner's tax allowance from \$25,000 to \$30,000 and I would speak on this clause together with clause 7 which amends the Income Tax Act to ensure replacement of all references to the old land and building tax with the Property Tax Act to ensure that claims of any allowances under the Income Tax Act are granted subjective to the payment of property tax in that respective year.

And I want to say this, Madam President. At this time when households continue to earn income very much less in most instances, continue to pay income

taxes, have to battle with the increasing cost of living, rising crime that is as a result of unchecked or underrepresented unemployment rate, I do not see the justification for continuing with this property tax at this point in time. Madam President, this approach—now I looked carefully at the Property Tax Act and I do not want to delve into too much detail about it because I know my time is almost near end but as much or as many may agree that our time is far overdue with respect to property tax, having read the law, it does not take into consideration individual's non-real estate assets such as financial wealth—

**Madam President:** Sen. Deonarine, the Bill that is before us is not to deal with the substantive piece of legislation dealing with the property tax. So I would ask you please to move on as you have a few more minutes.

**Sen. A. Deonarine:** Okay. Thank you, Madam President. I would move on. So, Madam President, as I conclude, I would just recap the areas that I have covered during my contribution. I primarily dealt with the amendments to the corporation tax and the Income Tax Act. I spoke in depth and in detail on the impact of SMEs and the need for more concentration and more consideration to the smaller SMEs which can be policies that can benefit them which can be informed by available data on the profile of SMEs. I also looked in detail with respect to the loan guarantee programme. I spoke about the Port, the tax exemptions on the Port, and also with respect to the research and development capital allowance of 40 per cent.

Madam President, with those few words, I thank you.

**3.00 p.m.**

**Madam President:** Sen. Nakhid.

**Sen. David Nakhid:** Madam President, in the name of God, the most gracious, the most merciful. Madam President, I would just like to get right into it and do some house cleaning; take out the garbage, so to speak. On that note, to the hon.

Attorney General, you have willfully misled this honourable Senate.

**Madam President:** Sen. Nakhid, two things.

**Sen. D. Nakhid:** Yes.

**Madam President:** Let me deal with the more important one first. You cannot say that. You cannot say that a Member has willfully misled the Chamber. So you cannot say that. I would ask you to withdraw that statement.

**Sen. D. Nakhid:** I withdraw willfully.

**Madam President:** Thank you very much. And then the second thing is, please direct your comments to the Presiding Officer. So you are not addressing anybody directly, but through the Presiding Officer.

**Sen. D. Nakhid:** Through you, Madam President.

**Madam President:** Thank you very much.

**Sen. D. Nakhid:** Thank you very much. I am guided.

Madam President, the hon. Attorney General has misled this honourable Senate.

**Madam President:** And Sen. Nakhid, here we go again. I just said to you that statement is not acceptable. You have withdrawn it.

**Sen. D. Nakhid:** The “willful”—

**Madam President:** Can you just please—

**Sen. D. Nakhid:** Okay, I thought it was the “willful” part. Okay.

**Madam President:** The whole part. So let us just—Yeah?

**Sen. D. Nakhid:** All right. Sen. Roberts never mentioned one single name of anyone before the courts in any matter. Madam President, the hon. Attorney General produced no evidence in that respect. So we ask to correct the record and call upon him to withdraw and apologize to the hon. Senator.

And you know, my problem with, Madam President, this Attorney General,

that not only he has the audacity to come and talk about LifeSport and talk about alleged corruption, but God, man, you are the Attorney General. If you have evidence of it, do something about it.

**Hon. Senators:** [*Desk thumping*]

**Sen. D. Nakhid:** But you have nothing to talk about. Sen. Roberts produced a comprehensive contribution. You did not answer to it. What you did? LifeSport. Okay. I would have hoped that someone who represents the highest level of law would at least be a bit more profound and substantive. Not only that, it shows your disconnect. Because, if we are talking about alleged corruption and conflict of interest, we “doh” have to talk about ghost gangs. We “doh” have to talk about something that maybe happened. We could just talk about you.

**Sen. The Hon. Gopee-Scoon:** No, no, no, no, no. Point of Order, 46(4) and 46(6).

**Sen. D. Nakhid:** Yes, Madam.

**Madam President:** You have been speaking for three minutes—.

**Sen. D. Nakhid:** Correct.

**Madam President:** —and I am going to ask you, this is my third attempt to guide you, please, please take my guidance. Number one, the Attorney General is a Member of Parliament. The Standing Orders say what can and cannot be said about Members of Parliament. Number two, I have asked you please, if you are speaking about the Attorney General, you speak through the Presiding Officer.

**Sen. D. Nakhid:** Well, I was speaking through you but I heard the Attorney General—

**Madam President:** No. You know, Sen. Nakhid, if you are speaking through me then you would not be saying—you would be using different pronouns and everything. So let us try and get your contribution on track.

**Sen. D. Nakhid:** So, Madam President, I heard the hon. Attorney General disparage my colleague and I am responding, or attempting to respond to him. And I think it is only worthy and the most noble of contributions to show why it is extremely disingenuous for, through you, the Attorney General who has recused himself, together with one of his colleagues, over 92 times in the Cabinet and then here talking about another Senator, about his conflict of interest. Or he even completely, which he was stopped by the hon. Chair several times.

And then he would go on to say who is Sen. Roberts to speak to them about these things. Well, Sen. Roberts is exactly the person to speak to anybody in this Senate about anything, if he can provide the proof.

So I ask, through you, Madam President, that instead of the PNM continuously trying to drum up that narrative of years gone by, if you have something that you can prove bring it, bring it, else it just shows, Madam President, how vacuous, how disingenuous, how mediocre their whole presentation is. [*Interruption*] No, no, no? There is a Chair here, direct to her; not, “no, no, no”.

**Sen. Gopee-Scoon:** Point of Order.

**Sen. D. Nakhid:** Direct to her, not “no, no, no”. There is a Chair here.

**Sen. Gopee-Scoon:** Point of order 46(4).

**Madam President:** Sen. Nakhid, you may have very strong opinions but your opinions, once you are in this Chamber, have to be, you have to be able to express those opinions in conformity with the Standing Orders. It may be difficult. It may be difficult. But whatever strong opinions you have, on whatever topic in life, if you are in this Chamber and making a presentation, try to make it in conformity with the Standing Orders please. So your language must reflect the language that the Standing Orders speak about.

**Sen. D. Nakhid:** So can you, just for clarification, Madam President, say exactly

what was against the Standing Orders?

**Madam President:** Sen. Nakhid, just move on please.

**Sen. D. Nakhid:** Okay. Thank you. So, Madam President, when we hear the PNM, through the Attorney General, when we hear them talk about the UNC bringing a black man, black basketball player who went from rags to riches, who was an obvious choice of a role model for the disadvantaged communities that he went to, including Marabella, Hell Yard, Sea Lots, one would think, why would they be against such an initiative. Why always when it is something to do with the poor and working man, the black and brown people of this country—

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

**Sen. D. Nakhid:** Come on, come on.

**Madam President:** Sen. Nakhid, I believe, I think—because I am listening very attentively—you are trying to respond to certain things that the Attorney General may have said.

**Sen. D. Nakhid:** Direct response.

**Madam President:** Hold on. What I will ask you to do though, is please remember where you are and please try and modify your contribution appropriately. Okay?

**Sen. D. Nakhid:** Madam President, I was merely stating that—

**Madam President:** You know, you do not need to restate anything. I am here. I am listening. I am guiding. Okay?

**Sen. D. Nakhid:** Okay. I said I was merely stating that one would have hoped, in a country where the majority stakeholders are black and brown people, at least we would have hoped that an example to them, of someone who went from rags to riches, who looked like them, who had their same story, would have been welcomed by anyone, but apparently not, especially when that visit apparently



involved no taxpayers' money. But it looks like—I will not go on. I will not go on. But I think the point has been made.

So, Madam President, I was really looking forward to the hon. Attorney General saying something other than a direct response or attempting to denigrate Sen. Roberts. So, you know, it looks like this Government seems particularly jumpy about the sou-sou, or what we term the sou-sou, whether it is the “Drug Sou-Sou” or any other sou-sou, fruit sou-sou, any other sou-sou; a lot of names for them.

But these sou-sous that, Madam President, I know personally people up and down the East-West Corridor, rural areas put on houses—put up houses, arms of houses for their children, send their children to school with a sou-sou, buy a small car with a sou-sou. Why this Government would be so jumpy about that? And the question always comes back to anything that seems to affect the poor and working man all of a sudden is a problem for this Government. And why is that? That is a constant theme about this Government. So they do not have a problem with banks gouging out people's eyes. They have no problem with that. They do not have a problem with food importers monopolizing that sector and prices going up, in a perfect COVID time, Madam President, where they could have weaned people of these processed foods and food imports and put them on a more natural diet in order to have a homeopathic solution to COVID-19, no. It is not about that, but you talk about sou-sou, they get jumpy about that. Because is the black and brown man on the ground, no, not allowed. We have to direct them somehow to get their money. And why is that?

I mean, Madam President, I do not need to tell you that rumours abound about these sou-sous and who finances them, and so, in different areas. But I do not want you to stop me again. I had you off your feet enough for my contribution.

But I will leave it as that.

So, Madam President, I think, as usual, the hon. Attorney General gave a very misguided contribution. I think it followed-up what is truly a mediocre Finance Bill, that really does nothing for the sectors of the community that really need the help now in this COVID time. I mean, one only has to look—and I will go a little more in depth than Sen. Mark did and Sen. Roberts did—about how it really affects the people on ground. So when we look at motor vehicles and that subject, is this Government aware that the fact that they are trying to direct people towards these major or these big players in the car markets, are they aware of how that affects the population on the ground? Are they aware it is the university student, that girl, who her father and mother, maybe joined a sou-sou and “buy a small car” to go from Caroni or to go from Diego Martin, from Bagatelle. She is the only one to get through to high school from her family and, perhaps, open a path through education, as Dr. Eric Williams said. They want to stop that too. They want to make that harder.

Are they aware that the person, the nurse who is single, who is trying to get through to get to her work, general hospital, Mount Hope Hospital? I mean, you just have to look at the papers, nurses burnt out, doctors burnt out. So that nurse who has a contract job, she does not even have a permanent job yet, because the Government “ain't deal with it yet”, so she has a little “wingy ding” of a car, that is affected. Are they looking at all these matters that come down to the bread and butter issues, Madam President? Apparently not, because where do these people go? And it has been said before, but I want to bring it, make it clear to the people that we have to speak to, that we should be speaking to, that this affects them. And why? I mean, things are so hard, even in that market, we have Neal and Massy going into selling spare parts. Imagine that. So “de man in Bamboo who eking out

a living now, soon, that harder for him”.

Madam President all these clauses of this Bill, we have to bring it back to how it affects the people on the ground. And the hon. AG, Madam President, showed that he was hopelessly out of touch, as well as the Finance Minister. So it is not enough to come here and impute or allege corruption by one of the Senators in this House. That was tasteless, shameless. Address the Bill and let us know, let the population know exactly how is this Bill going to help them. All our speakers before asked you all poignant questions. None of them answered. You are going to come with the same narrative over and over about LifeSport, about this. For every LifeSport and wastewater plant, everybody knows they could call 10 with you all. I would not go into it. They could call 10. Come on, be better than that.

You all tried that in Tobago. You all went after Watson Duke and look what happened to you all, green wash.

**Madam President:** Sen. Nakhid.

**Sen. D. Nakhid:** Yes, Madam President.

**Madam President:** You have strayed from the Bill and the matter at hand. I would ask you to come back to it please.

**Sen. D. Nakhid:** Coming back, coming back. I will not be long, Madam President. I will not be long. I am coming back to it. So, I heard the Minister of Public Administration, her contribution and she spoke. She said they put together an economic recovery committee. She said they had notable names, famous, renowned in their field. And the simple question: What are the deliverables from that committee? What did you all do with that? Give me one, one, deliverable that you all made for the disadvantaged communities that it was supposed to benefit. You all went and put an initiative or a programme in Sea Lots or Beetham, or Bagatelle, or Mount D’or, or Mitagual without anybody knowing? Not one thing

you all did. Just cosmetics, this Government is about; cosmetic policies, nothing to help the poor and working-class people of this country. Same old, same old.

The Minister of Public Administration went on to say that they were doing well in COVID. Up until yesterday, 2,454 dead. God knows after today how much. Even the news, doctors at breaking point, hopeless in Mount Hope. One famous doctor said, 60—I am just replying to the hon. Minister, 60 patients to one junior doctor. Imagine that; that they are physically, mentally, emotionally exhausted. And then they could come here and talk about they are doing well with COVID. Well, the Minister said that, Madam President.

I mean, did I say shameless before? I would not say it again. So this Government continues, through this Finance Bill, to sell a pipe dream. But this is not a pipe dream for the benefit of the larger population. This is a pipe dream for the benefit of the rich, families, the financiers, friends. Sen. Mark spoke about all that in detail.

So who are the citizens that would be affected by such a mediocre Bill, Madam President? How do we lift most of these disadvantaged communities out of their impoverished lives? How do we get the young man who has no choice but to turn towards crime, coming out of the so-called ghettos? Because he has no choices. It is not enough for us to be satisfied with “they are monsters”, “one shot, one kill”. How long is that going to last? Where is that going to take us as a country? Where is the vision? This is a Finance Bill without a vision. And that is the sad part. If you are going to show the nation, if you are going to show the so-called major stakeholders of this country who, in reality, have no hold of any major stake in this country, at least give them a vision. At least give them a common ethos. No, you take that as well. You take that as well.

So, Madam President, again, I am not surprised by the shallow nature of this

Bill. It is not something uncommon to this Finance Minister. And I am wrapping up here, Madam President. It is not uncommon. What we would hope, as a party who implemented several initiatives, programmes for single mothers, for kids at home; as a party who put all these things in place, built schools, hospitals, we would have liked at least in this, the most austere of times to forget about your financiers and friends for a little bit, for a six months. “You cyah do dat for ah six months” and concentrate on the people who really need help all those thousands who have not gotten grants?

**Madam President:** Sen. Nakhid, you did tell me that you were finishing.

**Sen. D. Nakhid:** Yes, I am finishing. One minute, I am done.

**Madam President:** Okay, because you are getting a little repetitive now.

**Sen. D. Nakhid:** Okay. So I will not repeat anymore. I will repeat that this PNM Government continues to be visionless, hopeless as a Government and I really hope and pray for the good of our country that all of you all resign, dissolve Parliament and call elections. Thank you, Madam President.

**Madam President:** Ministry of Trade and Industry.

**The Minister of Trade and Industry (Sen. The Hon. Paula Gopee-Scoon):** Thank you, Madam President. And all I would say about the last speaker and, perhaps, the others on the Opposition Bench who already spoke that—maybe I should just explain—these measures being put in place today are to put into effect measures, incentives, et cetera, which were attached to the budget, which was read only in October of this year. So we are simply, today, putting in place that which is necessary to implement the measures which were announced in the budget just a few months ago. And may I say a budget that was well received by all of Trinidad and Tobago and all of the business houses, all of the business connections. It was a really outstanding budget, particularly at this time.

Madam President, there is not much that I should say about the rumblings and rantings of Sen. Mark, who really does not understand that here today we are not talking about pain and suffering relief, but rather about incentives and relief and opportunities for small businesses. I think they have really misunderstood the purpose of the debate.

Sen. Roberts, I mean I am just going to remind all of you, and Sen. Nakhid included, that green is not perennial. It is passing and it is seasonal and they should get acquainted with that. But there was something that Sen. Roberts in particular commented on, and I want to bring clarity to it. And I think what he may have witnessed was a video circulating about the 2020 General Election alleging that land at the Caroni Bird Sanctuary was given to Gupte Lutchmedial, the Chairman of the Chaguaramas Development Authority. And I would say that that individual chairs—chairs, not owns or anything like that, chairs a Cabinet-appointed committee responsible for the management of the Caroni Bird Sanctuary and the committee, that very committee, previously existed and was reappointed, in light of the evidence of, in particular, extensive hunting, and that they would know about this, extensive hunting of the national bird and other serious issues surrounding the Caroni Lagoon, including the national security issues. And I would point out that this committee includes various stakeholders, including representatives from the Ministry of National Security.

The committee has recently, only recently, completed its review of the management of the sanctuary and they have made several recommendations to the Ministry of Agriculture, Land and Fisheries and these recommendations are being taken to the Cabinet. But quite contrary to the allegations made by Sen. Roberts, these recommendations include increasing the land acreage currently under protection by the Forestry Division under the law. It is not owned by anybody. It

is the State lands, and the recommendations would be about increasing the land acreage under protection by the Forestry Division under the law.

And, of course, the recommendation is also in light of the expert opinion that the population of Scarlet Ibis at the sanctuary is actually now thriving. And in addition, the sanctuary is now home to a local flamingo population. And so, further, I want to say—and it is interesting to know that the Scarlet Ibis population is nesting in new areas in the Caroni Lagoon and the flamingo population is also occupying new areas. So all of these are very good developments for our tourism industry and, of course, for the survival and expansion of these species.

I want to say also that it is impossible under the law and current arrangements for the management of the Caroni Bird Sanctuary for the land to be leased, sold, or to be given away to any individual. And I end by saying that the allegations made by Sen. Roberts, they are malicious and they are not at all truthful.

I was very pleased that Sen. Deonarine could have brought some sanctity and indeed my colleague, the hon. Attorney General introduced once again some sanctity in the debate today on introducing measures to satisfy the budget recommendations and, of course, we resumed some civil debate at that point. Sen. Deonarine spoke quite extensively about SMEs and indeed, many of the provisions in the Bill relate to support for SMEs, support for research and development and innovation, and support for manufacturing. She made the point about the equity investment culture. And, yes, I would want to agree with you that Trinidad and Tobago does not have an equity investment culture. However, the Minister of Finance has introduced this in the Bill today, through the budget and in the Bill today, through the support for SMEs, and via the possibility to now list on the junior stock exchange on account of the more relaxed measures.

And so, but before that, I want to say that I do appreciate the concerns laid by Sen. Deonarine about the possibilities for what this new variant may bring and that, of course, it is really putting governments in a place again where we are all are forced to be nimble and to monitor and to respond to the effects of the continuing ravages of the COVID and its variants. And the Government of Trinidad and Tobago, I give you the assurance, I give the population the assurance that we continue to monitor very, very closely, not just the effects on the health of the population, but the effect on the economy and, of course, indirectly the social effects as well.

So Sen. Deonarine, you spoke a lot about the role of SMEs, and I would once again recite how pivotal the SMEs are and critical to the economic performance of the economy when we speak about building this very robust and resilient entrepreneurial ecosystem and the contribution that SMEs would make. And you talked extensively about the key problem among the SMEs being access to finance and one of the response is the measure of that additional support through the junior stock exchange for SMEs.

### **3.30 p.m.**

Now, you raised the point about qualification for joining onto the SMEs and interestingly enough, I spoke about this in the Lower House, where one has to look at the landscape of what we call SMEs and indeed, you looked at the strict definitions. And by the—entrepreneurs are really the new entrants. And so, that listing on the junior stock exchange does not attach itself to the new entrants per se. And you will—and we will encourage and we are nurturing all of the new entrants into the microbusinesses.

However, what we are expecting and what we are building is growth in the entire SME structure, so that new entrants would be assisted and there are many



avenues in which this Government is working to improve the entrepreneurial ecosystem at the level of the start-ups and the new microbusinesses. And you would have touched on research and development, and I am going to come back—I am speaking to just the start-ups but I am transitioning to the discussion you had on the research and development facility that you mentioned, that the specific measure announced today—announced in the budget and spoken to today as well, did not address the needs of those businesses with ideas or—sorry, or the fact of those new persons, entities now coming in to business with new ideas. Because that is not the singular funding arrangement that is available to these small businesses.

And I can say to you and repeat, that within the Ministry of Trade and Industry, through the exportTT, there is grant funding available to the extent of \$1 million which will assist any new businesses, entrepreneurs and also, businesses in the next—the little bit more mature firms in the next stage of development with the necessary funding to take them from the idea stage that you spoke about—and there is no shortage of ideas in this country, Trinidad and Tobago being very creative people—but that will certainly take them from the idea stage to the development stage, to the development of prototypes and then, to the commercialization stage.

So the measure announced today is not the only one. That facility is available. And there is also now and only more recently, the innovation envelope which is out of the Export Booster Initiative, through exportTT, where we have allocated close to \$4 million. And again, those we call innovation vouchers because they will offer to any individual wishing to develop their idea, offer to them another line of credit to the extent of \$200,000 per person, to help them to develop their ideas, and to foster their linkages, and to be in touch, and to be able

to obtain from the public and private sector knowledge providers. I am talking about your CARIRI and your UWI and so on, the kind of assistance they would need again for the idea development, further research and also, for innovation.

So all those kinds of pockets or facilities are also available to the entrepreneur and the new entrant. And it is available to cover process automation; product and service development; acquisition of technology, including mobile applications and 3D printing, et cetera.

And of course, I want to say that one would recall—and the entrepreneurial ecosystem is not just about the offerings from the Government but also from other business incubators. So that, UWI Ventures and CARIRI are also standing by and they are available to offer their services to the—I would say, the micro-entrepreneurs, because that appeared to be your concern. But then generally, the new businesses but also the macro-industrialists, again covering the areas of testing and research development and innovation and so on. And that is CARIRI and UWI ventures.

So I go back to the junior stock exchange, in that it is for the more mature SME firm. And you need to provide for them as well because if these—and I will come back to the point about family business because she spoke about that—because again, if you say—if one cites the problem in growth to be access to financing, private equity financing is an answer. And it means that by getting onto the stock exchange and being publicly traded, these businesses can access capital very swiftly through the issuance of shares to the investors.

So again, we are promoting entrepreneurship, we are creating employment and economic development. But the large capital injections would help these kinds of businesses to grow and you continually need to have a pipeline at all stages of the development of business at the entrepreneurial stage, the more mature firms

and then, of course, the even larger firms. But again, getting onto the stock exchange really would help businesses as well to enhance their profile and their visibility as well. And again, through this medium, such businesses would be able to attract new clients and consumers and they become more attractive to banks to even help them to access additional finance to grow even more.

So that, with the nurturing as well through the mentorship programme—and this is for all candidates who are wishing to get onto the junior stock exchange. All of these candidates are going to benefit from the mentorship programme. And again, there will be approved mentors appointed to assist these SMEs and these mentors will have a continual presence and will almost act as a compliance advisor to the companies. So the new mentorship programme will give the guidance that is needed to transition these SMEs into bigger businesses. So it is an extremely important programme which has done extremely very, very well in Jamaica and we have borrowed certainly their structure. And I can say, as Minister of Trade and Industry, I am in complete support of this programme which the Minister of Finance introduced in the budget.

The other point that was brought up, again by Sen. Deonarine, would be the whole question of the expansion of the government guarantee loan programme. And again, the Minister of Finance, in his presentation, would have outlined all of the changes because this Government listened and readjusted the programme, so that more firms can in fact access the moneys which have been allocated under the system. Some \$196 million has been recapitalized, so that there is nothing that can be wrong with this.

But again, Sen. Deonarine, I think the point you were making was that there are particular firms that will benefit more from this expansion this expanded guarantee loan programme. And your concern again was: Where are the new

entrants in this? But one would recall—so whilst it is not part of the Bill today, one would recall that a \$50 million facility—this is grant funding, free money was also announced in the budgets and it is a measure to be under the auspices—that will be under the auspices of the Ministry of Finance and that is where the nurturing comes in. So that, yes, the new entrant would access the moneys for research and development through the envelope offered—two envelopes offered through the exportTT and through CARIRI, and I think UWI ventures, but the \$50 million would be accessible by all new businesses. And I am sure the criteria would be fully laid out for us by the Ministry of Finance in the new year—early in the new year. And then, those businesses would benefit in terms of—it is not just lacking finance, it is a question of understanding accounting, understanding HR and human resource, understanding growth and marketing. And that is where you are going to have the massaging to take them from where they are, the early entry stage, to the point where they are perhaps ready to be fully marketable where their products can be marketed and so on, and where they can become successful candidates for the junior stock exchange programme.

So it is an entire platform that we have addressed and I have spoken in this House before about this entrepreneurial ecosystem and the support that we are giving in terms of access to finance, and also capacity building, and for market access. And I raise the point of market access in particular because of the work that is being done through exportTT under the Export Booster Initiative, which does not address only big businesses but also addresses all of the early stage businesses, new entrants and also, the other businesses that are in the middle stage in transition as well.

And I want to say that only yesterday, I was fortunate enough, together with the Unit Trust and an international partner, to launch ScaleUp Trinidad and

Tobago. And it is that in April of 2021, Unit Trust, in the exercise of their corporate social responsibility, would launched this ScaleUp programme which was a success, a total success. And it was very pleasing to hear yesterday when some of them addressed us, as we had the launch of the second stage of ScaleUp Trinidad and Tobago, to hear of their very measurable success.

So again, we are so very pleased to partner—and it is not just about Government alone, but to partner with other public agencies and also private institutions as well as financial institutions, as we promote these early-stage firms and help them to mature and grow and give them every assistance that they need.

And those are not the only programmes at all. As I mentioned before, there is the NEDCO grant facility. There is the credit union soft loans which has remained in the system available to the credit unions, so they too can offer funding for small businesses as well. And there are several grant funding facilities available, and I can tell you in the Ministry of Trade and Industry, for many, many sectors. And e-commerce now is thriving. I have spoken about the SheTrades Hub where close to 500 women—these are women entrepreneurs benefiting from this new system as well.

And again, for the more mature firms, in addition to the government guarantee loan programme, there is the research and development allowance that you spoke about. We have been—and the Export Booster Initiative, which is also extended to these firms, so that they can increase their ability to market their goods and services out of Trinidad and Tobago.

And then, of course, there is the national quality infrastructure which we are building on and again, the new manufacturing sector allowance, et cetera and so on. So I hope that Members that are listening will understand that this is just not just—and I want to repeat again—not just about certain firms that qualify. But

what we have tried to do in the Government is to look at the entire spectrum of businesses and to assist them on their growth trajectory, understanding very well that this is what a transformed economy will depend on, new businesses, new ideas, new products, new markets and general growth and development, job creation, contributing to job creation and the ability to earn foreign exchange and also, to curb foreign exchange.

So I hope that answers the concern that you would have had Sen. Deonarine. And again—I want to see—okay. And Minister again, one of the provision in today's Bill, clause 8, addresses the whole question of ICTs, support for information, communication technology and manufacturing. And again, we all understand the role of manufacturing and the considerable role they have played in the past in terms of their contribution to GDP, in terms of their significant employment close to 60,000 persons maintained. And also, their ability to earn foreign exchange through the myriad of exports that we are now doing, not just to the region, but to the extra regional markets and in particular new markets like Puerto Rico, Dominican Republic. When I say so new products entering new markets and Cyprus and so on. And I will speak a little bit more about that as I go along.

All of this, a catalyst for economic transformation and diversification. And all of this, of course, in support of the TTMA, the Trinidad and Tobago Manufacturers' Association, who have vowed to double exports of particular non-energy exports by 2025. So this support for ICT, very, very, very important and the ongoing pandemic has reinforced, of course, the need for social distancing, contactless business transactions and so on. And when one speaks about contactless business transactions, you are talking about undertaking and adopting greater use of information and communication technology, including e-commerce

platforms.

So that must be commended and we do this here not only through the measure introduced in the Bill today but also through the several e-commerce measures that are done through—that have been done and will continue to be done through exportTT and which has served many businesses well during the pandemic. Many of them who were not engaged with platforms and so on immediately got on and it really helped them to survive. And many of them were able to grow and there is evidence of that. So we can only be in support for the measure in terms of ICT support in manufacturing.

And again, the support in research and development and innovation, clause 8 introduced in the Bill today. And we spoke about that, again, the research and development facility. And what I want to say again, we must—you complained, Sen. Deonarine, about the environment and that it is almost non-existent but what we are going today with the measures which exist at the exportTT as well, what we are doing is engendering an environment that would inspire innovative thought and would incentivize research and development. And we must continue in that vein to ensure that there are new products.

Two days ago, I was in the Lower House and I had the opportunity just before entering the House to meet with Nestlé. And I can say it here again, there is no harm in repeating, that I was pleased to have a discussion with them about the production of almond milk. Very important from the point of view that all almond milk—which is a taste which many of our citizens have acquired because we look at the numbers and they are in fact increasing, in terms of the imports of almond milk.

**Madam President:** Minister, you have five more minutes.

**Sen. The Hon. P. Gopee-Scoon:** Thank you. And it is that Nestlé in 2022 would

begin production of almond milk and what it means is that it bodes well for imports substitution, meaning that there is no need to bring in these foreign products. And of course, it bodes well for our exports, in that, here is a product that Trinidad and Tobago is now producing that will receive good traction in all markets. And we are pleased, therefore, to support those kinds of new products on the market.

In the last few minutes that I have, I would want to say even when I speak about the entrepreneurial ecosystem, what is important—and the Ministry of Trade and Industry and the associated Ministries are also aware of the need to strengthen the entire trade ecosystem and the investment ecosystem. And that is where our attention is focused and this is why we have been able to come to the Senate last week to deal with the Special Economic Zones Bill, which is a Bill which would encourage and incentivize new entrants, foreign entrants, local entrants into the market, into new businesses. And we could not be more pleased.

It is also why we are introducing—and Cabinet has agreed to the establishment of this new trade and investment promotion agency in Trinidad and Tobago. And in order to do that, we rationalized several agencies which seemingly did the same things. And the idea behind it all is that—and we did our readiness assessment and the idea behind it all is that we must pool these significant—when I say significant, these very important agencies with the important function that they carry out in terms of exports; in terms of attracting investment and ensuring that they are all in one location, one space, one organization which is stellar and which will have the desired results in terms of encouraging exports, promoting exports and of course, promoting both external—sorry, both foreign direct and local investment.

So we are on the ball in terms of strengthening the entire trade and



investment ecosystem, working again on the whole question of assisting to diversify our range of exports of goods and services and along with that, ensuring that we do the institutional strengthening in terms of the organizations I just spoke of. Again, the operationalization of our Accreditation Service for Conformity Assessment, TTASCA, I intend to bring that with the help of the hon. AG to this place in 2022. It is on our list.

And again, with the whole question in certifying—ensuring that we can certify firms to again to meet global sanitary and phytosanitary and technical standards and so on. We must be in position, that is the only way that we are going to be able to meet the standards globally and be able to export to those territories.

Again, we continue to work on all aspects of our trade and investment facilitation, including improving the ease of business and I have spoken about that on many occasions in this House. And I will take time very soon to inform the population of the gains made in that regard. I think my time has run out and I want thank you, Madam President.

**Hon. Senators:** [*Desk thumping*]

**Madam President:** Sen. Lyder.

**Sen. Damian Lyder:** Thank you, Madam President. And, Madam President, wow, after listening to the hon. Attorney General in his preamble, a fierce preamble on Sen. Roberts, I have to agree with the hon. Vice-President when he said that things were going out of control. And if ever there was time for one to see the effects of a thrashing, a beating and a greenwashing, and an exile of the PNM from Tobago, this was a time to see that today, Madam President. Because it is clear that there are people in the PNM that are not taking this loss too well, some worse than others. The PNM is falling apart it seems like. “Is bacchanal in de PNM”.

But, Madam President, as I look at this Finance Bill, having heard a budget

presentation promising the world at a time when the economy is in free fall, when the oil and gas sector is struggling, and seeing a government that has failed to diversify this economy outside of the oil and gas sector, in reviewing this Bill, you will understand why I am disappointed here today. You see, Madam President, when I see this Government bring us out here to debate a Finance Bill that lacks vision, lacks direction and does little to turn around this depressed economy, you will understand, Madam President.

In fact, the hon. Minister of Finance in his presentation seems to have run out of things to say. He spent five minutes speaking about something that had nothing to do with this Bill. I almost got up on 46(1) for irrelevance when he spoke about the La Brea project and being financed by China, a project we still await to be seen but gave us five minutes.

But by its clauses, the Bill purports to seek to amend specific legislative provisions purportedly with the view to relieving certain operators in the—in certain industries and sectors of this economy, of portions of the economic burden caused by taxes, duties, and levies imposed by this legislation. But it does nothing to significantly change the state of our economy today. And I will demonstrate this Government's failure in my contribution by circumscribing myself to the clauses that pertain to the waivers of members' clubs and bars, the increased fines for overweight trucks, vat exemption at the port, and VAT and duty free concessions for electric cars.

Madam President, when we look at clauses 2, 4 and 14, these clauses of the Bill purport to relief owners and operators of licensed gaming premises of a portion of the economic burden caused by the licence fees for the period 2020, consistent with the period's full closure of the licensed premises as a result of the Public Health Regulations in 2020.

However, Madam President, on closer consideration of the data and the facts that exist, this Bill practically offers little or nothing in terms of relief for the owners and operators of these licensed gaming premises. You see, Madam President, these owners and operators who are contributing members of the society and the economic landscape of our country have been significantly affected by the forced closure or—and also, the partial closure of the establishment since 2020. And in the most severe cases, Madam President, many of these premises have been forced to close permanently to avoided further losses.

In fact, I heard the hon. Minister of Finance say that some of these establishments had not paid these fees as yet. Well, I would like to tell, through you, Madam President, in local parlance, these places “buss”. “Dey buss so yuh cyah pay”.

So let us consider some of the clauses which are being presented as legislative relief but which, when you consider the light of data, are in fact far from the case, Madam President. When we look at clause 2—and I will just read some of these clauses—clause 2 which seeks to:

“...amend the Gambling and Betting Act...”—to—“provide...for the waiver and refund of fees, by 42% for the year 2020, consistent with the periods of full closure of licensed premises as a result of the Public Health Regulations in 2020.”

And then clause 4 seeks to:

“...amend the Registration of Clubs Act...”—to—“provide...for the waiver and refund of gaming taxes, by 42%...”—again—“for the year 2020...”—for the very same reason as clause 2.

And clause 14 seeks to:

“...amend the Liquor Licences Act to provide...for the waiver and

refund of fees by 42%...”—accounting for the closure of these bars for the same reasons of the previous clauses.

And, Madam President, the clauses referred to here seek to provide a relief for those periods in the year ending December 2020, consistent with the full closure of licensed premises. Presumably, as I would imagine on the basis that for those periods of full closure of the licenced premises, these licence holders received no economic benefit and value from the holding of these licence.

So, in other words, where the licensed premises are closed, what use are these gaming machines and the licence to be operated in there? There is no economic benefit.

However, Madam President, although the clauses purport to provide relief in the form of refunds of 42 per cent of the amount paid for each of these licence, we would argue for the entire period of 2020, whether it was consistent with full closure or partial closure of these premises under these regulations, these licensed premises received little or no benefit from these gaming machines and from these licences due do the effect of the regulations on these establishments.

So, Madam President, it is important for us to understand the data on the closure and I got this information from the Coalition of Bars and Restaurants. So I would just read quickly:

Bars, most of which are licensed premises housing gaming machines, were fully closed under the 2020 regulations for the period of March 17 to June 22 of 2020. On June the 22<sup>nd</sup>, bars were reopened but with restrictions.

There were limitation of, I think it was about 25 persons maximum and they had to shut their doors at 10 o’ clock; 10.00 p.m., which as you know, Madam President, is the time most of these establishments get going and do their business, after 10.00 p.m. And then, from late August 17, 2020 to December 31, 2020, bars were

permitted to remain open only for takeaway customers under the 2020 regulations. They purchased their drink, they leave the establishment. And members' clubs were almost fully closed for the period of March 17, 2020 to December 2020.

So, Madam President, even in the case of a partial opening under these regulations, these establishments were deprived of the value of the licences as their partial operation was limited to takeaway services only.

**4.00 p.m.**

They were permitted to purchase the beverages and leave the establishment. They could not use the machines they could not—there was no benefit to the establishment of these licences. So, there is no provision for the use of these licence machines in a takeaway establishment. In those circumstances, Madam President, through an effective economic relief must be in a 100 per cent waiver, or refund of taxes, duties and levies under this legislation. Madam President, a 42 per cent reduction does not cure the substantial losses sustained by the owners of these establishments who still had to pay rent, who still had to pay their mortgage, who had to pay utilities, who had to pay staff, who had to pay insurance. While they were closed, they lost more than the licence. And we see that this closure to help with the COVID pandemic and we see the state of the COVID pandemic today. So all that economic loss, and we are now number one in the world for deaths via COVID.

Madam President, so to come in and talk this Bill has anything more than a half-baked or wholly inadequate remedy for severe and critical loss is an affront to the suffering endured by such a large contributor to this society. Furthermore, Madam President, this Bill, to be considered an adequate remedy to counter the severe losses sustained by this sector and in this society, the Bill needs to take into account the continuing losses that have been sustained by this establishment well

beyond 2020, Madam President, because these places have been closed all the way into late 2021. I think it is only two months ago, that these bars and these establishments were reopened. So why are we coming to deal with 2020? Why not come right now and say that we revoking 2021 one time?

Madam President, we have seen an industry where more than 3,000 of these establishments were closed, with thousands of workers who are on the breadline and many of them are single mothers, Madam President, and when we consulted with the Coalition of Bars and Restaurants, they indicated to us that as of today, more than 25 per cent of these establishments are either not open currently, and will never open, as I said before, in the parlance “buss”, unemployment on display. So coming here today with 42 per cent on the licence fees on machines that can cost between \$6,000 for a single player, and \$120,000 for a multiplayer per year, in fees, along with the millions of dollars in losses that they took, this 42 per cent is simply inadequate and will not save this industry that the Minister of Finance by his own words, in the budget debate indicated that may represent more than \$500 million in taxes to the state and an industry that will be responsible for hiring more than 30,000 persons.

Madam President, we call on this Government to not only refund 2020 by 100 per cent, but to refund 2021, and if in 2022, these bars continue with the same regulations as being safe zones, where only 46 per cent of our population is vaccinated and as such, some 54 per cent will not be eligible to go into these establishments and many of them now suffering and struggling, I would say they need help in 2022 too, as well.

Madam President, in clause 5, this clause proposes significant increased fines and penalties for overweight trucks. Now, this measure is one that reminds me too little too late. The problem of our deplorable roads now has gone far

beyond and the people at this stage are simply frustrated and fed up, and we know in the last seven years, the Government has done little to maintain these roads, and we seeing the condition of them today. So whereas we agree that trucks with excessive loads damage our roads, what the Government is doing in their typical fashion is blaming one entity for the failure. They are using the trucks as scapegoats. Why are they not fining WASA and the man in the van? I feel sorry for my honourable colleague when WASA dig up his road and he had no resource to come and fix it.

Furthermore, there is no guarantee that the millions that will be collected through these fines will be used to maintain the roads because as we know these fines will be going to the Consolidated Fund. My colleague, the Minister of Works and Transport, he will—I know he would like, through you, Madam President, he would agree that he would like to see these fines go directly into a road maintenance programme, and not modelling the Consolidated Fund to be spent on all these vanity projects, paintings and palaces and pools. I only have to remind this House of the now infamous tyre tax that was supposed to be used to support environmental rehabilitation and matters of the sort. So that is the hallmark of this PNM Government, right? They manufacture new taxes fines purporting to benefit the environment, and in this case, the roads, yet the monies all lead to the Consolidated Fund. So the question I want to ask here today is: What mechanism is the state using to prosecute persons with overweight trucks? How many weigh stations are there in this country today? The Government is instituting this fine, but how will it be implemented? Will police or license officers be required to eyeball a truck on the street where there are no weigh stations? Set up roadblocks? Long-time thing.

Madam President, they are bringing a measure but there is no clear plan for the implementation. Where is the budget in 2022 to install weigh stations at various points on highways and byways? They are bringing this measure but there is no clear plan, Madam President. Maybe the hon. Minister of Works and Transport can let us know how they intend to enforce the measure. Many trucks are covered. How do you know how much weight they are carrying? How do you know these trucks exceed the limit? Can you Minister let us know will there be any form of weigh stations beside what exists? Because as we know, in United States of America on the major highways, trucks are required to pass through weigh stations on journey to their destination. So the Government has told this nation that they are going to make—they have not told the nation how they are going to make this system and enforcement of it consistent and efficient. The massive increase in fines would mean nothing if we do not have the manpower and resources to enforce this law.

Madam President, in an article and I see it here on February 12<sup>th</sup> 2019, in the *Express* newspaper, the Transport Commissioner had lamented that there were only 10 motor vehicle officers to service the entire country. Has this been addressed? How many officers do we have now to monitor the trucks on their designated routes? And in addition, Madam President, the Minister should clarify whether trucks which have the capacity to carry loads in excess of the weight that can be sustained in our nation's roads. Why are they being licenced? Would it not make sense to limit the amount of these trucks that are being licenced today? Madam President, this speaks to the ease of doing business. If this Government is not prepared to install weigh stations strategically throughout this country, on the highways and byways, as we see in the US, then its failure.



The Minister is telling us that trucks are going to be pulled aside, eyeballed and sent to Caroni, Port Spain, Golconda, San Fernando. What happens when you take these trucks off the road and then have to sit down and queue in long lines, losing an entire day work and one of these trucks end up being underweight, what do you tell them, sorry? Madam President, many of these trucks are contractors carrying valuable goods on behalf of companies, are you going to put them at that risk, sitting down queue in all day in a licence office somewhere?

So whereas I agree that we must enforce weight of trucks, it must be equitable. The fines must be equal to the offence and not this one size fits all matter. The Government must ensure that there are weigh stations provided along the major routes to effect efficiency and effectiveness so that trucks can pass through a weigh station on their destination and owners of companies are not frustrated by a truck being tied up in some far out licence office.

Madam President, I move on to clause 6. Clause 6 would exempt the Port Authority from Value Added Tax on plant, machinery, appliances, apparatus, equipment, and materials of every kind whatsoever. Madam President, I listened to this—looked at this clause and I stand in shock. I stand in heartbreak and in disappointment and I am glad the Minister of Trade and Industry has just joined us again. I am standing here feeling this way on behalf of the manufacturers of this country. On behalf of the locals, as well as the dwindling foreign direct investors who under this Government has had an exodus of more than \$10 billion in FDI. I speak on behalf of the remaining investors in this country who are considering leaving or who are leaving now like Exxon Mobil to Guyana. I speak today on behalf of the stakeholders who when they see this clause 6, Madam President, they will feel a sense of neglect and betrayal here today, Madam President.

These stakeholders would have liked to have seen added to this clause exemption on VAT for raw materials for the manufacturing of goods for domestic and export distribution. If they could do it for the Government why not for manufacturers? Because, Madam President, the burning issue affecting these manufacturers today has been this issue of VAT refunds. Madam President, it was in 2020 and at the height of the pandemic and now in 2021 that various Chambers of Commerce, including the Trinidad and Tobago Chamber of Commerce, TTMA had been clamouring for not only VAT to be paid expeditiously, not only VAT to be removed from the Consolidated Fund and into a special purpose fund. But they have also been clamouring for VAT to be removed at the port at Customs and Excise for inputs into final product to be for the local market and especially for the export market, Madam President. It is the exporters of this country that are suffering from the lack of federal funds.

**Madam President:** Sen. Lyder, I just need to just stop a little bit here. You said you are dealing with clause what, clause 5, clause 6—?

**Sen. D. Lyder:** Yes.

**Madam President:** —right. But you are talking a lot about what is not in the Bill. What you would like to see in the Bill, I gave you some leeway but you really have to deal with what is in the Bill. Okay.

**Sen. D. Lyder:** Madam President, the Minister of Finance, spoke about this budget being the turn-around for the economy, it is a very broad statement, it is a—all of these.

**Madam President:** So, Sen. Lyder, while I have been here in the Chamber, I know what everyone has said and you do not need to tell me what anyone has said, because I am here and very present. And I am guiding you, please, because you are now straying from the Bill, because you are speaking more to what is not in the

Bill, as opposed to what is in the Bill. And therefore you are attending to be irrelevant. So I am guiding you.

**Sen. D. Lyder:** Madam President, earlier in the debate, the Minister spoke about the tedious process for the port to get exemption from VAT, a long and tedious process, he indicated that, so in response to the Minister of Finance, who said it was a long and tedious process to get back VAT exemption to the port, I would also like to remind the Minister, it is a long and tedious and heart breaking process for manufacturing—

**Madam President:** And Sen. Lyder, how many times you are going to remind the Minister? Because I—that is exactly what you were saying before I interrupted you and gave you guidance, and you continue to say it. So how about you move along, please? And how about is no longer guidance? I am asking you please, to move along.

**Sen. D. Lyder:** Thank you, Madam President, for your great guidance here today, Madam President, I will take your guidance.

**Madam President:** Sen. Lyder, please, you see the—I can read tones and I know—you see all of that just move on, please.

**Sen. D. Lyder:** Thank you Madam President, I will manage my tone very well, Madam President.

**Madam President:** You seem—you seem to be thinking that you and I are having this conversation. Okay? So all of the asides, stop it and deal with the matter at hand.

**Sen. D. Lyder:** Thank you, Madam President, and when we move on to clause 7, well, I would not say much other than the fact that it is the United National Congress' position that we do not support property tax at this point in time so we outright reject clause 7. Clause 10 and clause 12, Madam President, when we look

at clause 10 of the Bill, we would amend the Schedule II of the Value Added Tax Act to zero rate Value Added Tax on a new private electric motor vehicle or a used private electric motor vehicle, which is not older than two years from the date of manufacture. And clause 12 basically says the same thing except for amending the Customs Act by repealing and replacing section 45 that would exempt customs duties on the same said electrical vehicle.

Madam President, on clause 10 and clause 12, they speak to basically the removal of VAT and Customs and Excise duty on new electric vehicles and second-hand age less than two years. And as we look at this clause I asked myself the question, seeing that the Government came in the beginning of 2021 to reintroduce VAT and duties on hybrid and electrical cars, I would like to know did it take the hon. Prime Minister presenting to a grand ball of vacant seats in the COP26 for the Government to rush back here to Parliament to remove VAT and duty from electrical vehicles? I just asking. Let me make it clear that we are in support of anything that will assist and aid in the improvement of the environment. But I have concerns as it pertains to electrical cars. You see, the Government is moving to remove VAT and duty on these electrical cars to encourage buy in. And I am no expert in this industry, Madam President, therefore, I took the time to consult with stakeholders in the automotive industry, who indicated to me just as I heard Sen. Mark so I would not go long on this, that the average electric car is indeed very expensive. But let me add, the battery alone can cost an excess in \$15,000 and up. So this is no regular battery. And just the parts for these cars in itself is very costly. And as a result, many electrical vehicles on the market are beyond the reach of the average citizen of this nation. So is this, I ask, a measure that is introduced to benefit only the wealthy person in society because, the

working people who consist of the majority of the drivers on the road will not be able to afford these vehicles.

Now the other issue, because I move on, the other issue is the fact that these less expensive electrical cars have smaller batteries. The batteries do not have the ability to take them for very long distances and so there is a requirement for these batteries to be charged quite frequently. So as a result of that, I am asking the Government, what are they doing to ensure that the infrastructure is in place to facilitate these electrical cars, this new technology? There is a requirement for change stations to be set up throughout the length and breadth of this country.

**Madam President:** Sen. Lyder, you have five more minutes.

**Sen. D. Lyder:** Thank you, Madam President. So I ask, are these change stations going to be located at gas stations? Are they going to be located at certain ports off highways? Because Madam President, if the Government does not put the infrastructure in place for this new technology, we are going to see a bunch of electric cars broken down and shut down all over the country. So, Madam President, the you know, and then the cars with the batteries with the larger batteries that can take you longer back to and from your home to recharge, these are the more expensive electrical cars that will be out of the reach of the average citizen in this country and, Madam President, and let me add that a smaller segment of the society, a shrinking segment of the society will be the only ones that can afford these cars. So, Madam President, we can easily see that the Government is hoping to be seen environmentally friendly here. And, Madam President, we see the efforts by these measures. But why did they not include exemptions on hybrid cars? You see, hybrid cars are also friendly to the environment and in my research, Madam President, in my research of these cars, the average car with 100 per cent fuel can go between 350 to 400 kilometres on a

full tank of gas whereas a hybrid car can go more than 600 kilometres, with the same said tank of gas, Madam President. And also, Madam President, hybrid cars are self-charging. The engines charge themselves, so there is no requirement for infrastructure for these hybrid cars. So they are consuming less fuel. So that is environmentally friendly. They do not require an expensive infrastructure to be put in place. So why are these cars not included on this measure? I do not understand.

Furthermore, with the VAT and duty exemptions that obtained previously, these hybrid cars, Madam President, were affordable to the middle and lower income masses in this nation, with all things considered, the hybrid vehicles could constitute in the medium term if this Government had the foresight to do that, to form the critical mass of vehicles on the nation's—*[Interruption]*

**Madam President:** Sen. Lyder, 53 (1) (b) tedious repetition.

**Sen. D. Lyder:** *[Inaudible]*—environmental.

**Madam President:** Sen. Lyder, you have two more minutes.

**Sen. D. Lyder:** Madam President, so why have they been stopped? Is it for—because they affect the sales of the big companies and their regular cars? Who getting the Elon Musk, Tesla agency in this country? Anyway, Madam President, I would like to know who getting that.

Madam President, as I close, based on these fiscal expectations, these measures fall woefully short at a time when the Government has promised so much. Let me remind you of the reporting in the budget presented on the 5<sup>th</sup> of October that gave rise to the measures we are deliberating today in the Finance Bill. It was reported that the \$52.49 billion budget announced a slew of measures that would help revitalize the economy hit hard by the Coronavirus pandemic. Sadly, we are still waiting for this slew of measures. Maybe as the Minister said, will be next year, early next year, we will see if it comes then. What is worst is that

a handful of the measures proposed in this Bill do not aid any economic revitalization, especially not in the face of the hardships brought on by these lockdown measures.

The Minister of Finance further went on and told the nation that the fiscal package contained—and this is what I was looking for—opportunities for all citizens, and in the process, ensure success and prosperity. This statement cannot be further from the truth. This is because the level of hardship in this economy continues to worsen. So if even there was a test of the disenchantment, we would have seen what happened in Tobago. So I would be so bold to state to this Government that their economic plan has failed spectacularly and is now missing just as the same zip line gone missing.

In this Bill, Madam President, as I close, the PNM has abandoned more than 3000 bars and member clubs, they have betrayed the manufacturers in this country, they are setting the stage to prosecute truck drivers and they have removed duties and VAT for the benefit of the wealthy. This Government has failed its citizens. I thank you Madam President.

**Hon. Senators:** [*Desk thumping*]

**Madam President:** Sen. Deyalsingh.

**Sen. Dr. Varma Deyalsingh:** Thank you Madam, for allowing me to partake in this Finance Bill this afternoon. And this Bill I see, Madam, is an attempt really to try to stimulate the economy. It is an attempt really to try to get small business more involved, first-time owners to get more savings, gaming industries I see got some concession in this also, and also adjustment in withholding tax rate, attempt to attract foreign companies to invest, tax incentive for foreign investment and also, we saw that recently where we were trying to create that safe zone—the Free Zone Bill. So this, again, takes us further into the realm of trying to get foreign

companies to come in here. So it is good intention, good intentions needed at these times, in this COVID time where we have seen we have been ravaged by the COVID and the economy has certainly take up a lashing globally. But we have to appreciate even though all these are good intentions, we still have to improve a little bit in our ease of doing business and I hope energies is also spent there and also in the crime situation, as I think a Senator mentioned, that if you have these other parameters existing, you would have persons less willing to come and invest here. So those are things we also need to put energies at. You know, the Moody's rating, took a downturn recently so all those are concerns.

So I commend Government's effort to do anything in its power to stimulate the economy. And as the Minister of Trade and Industry mentioned, that sometimes you have to manoeuvre, you have to change. So what you may have had on paper a few months ago, may have had now to say, well, what do we do again? How could we adjust? It is like a dance, you know, you move back and forth with this COVID virus to try to see how we could get any sort of gain to help us. And while I must say I was disappointed recently when some persons made comments in social media about the Prime Minister being a wicked person and having certain, what can I say, certain measures in place for the COVID, I am saying Government has to do, and have in my opinion, I have been doing things that they really think would be beneficial for us in terms of any sort of regulations and even now, trying to get this business and the stimulation of the economy, in terms of the economy in this Bill here today. I think it is a move in the right direction.

So, I must say I may want to look at certain aspects of the Bill, and I would like to say that when I looked at the fact that Sen. Mark mentioned that, you know, it may not be reaching the common man, it may not be reaching the individuals



that you know, in the streets, the persons who are struggling to survive, but we can always hope that any stimulation of business and economy and small businesses would obviously hire persons out there and would obviously try to get that person to come on board and move the economy forward, because people will be getting jobs and into the system again, getting a way out of this pandemic.

So while I looked at the clause 2 of the Bill, Madam, where it is served to look at the Gambling and Betting Act, and we have seen in this an attempt made to get some sort of stimulus in the Gambling and Betting Act and I look at this in in a way that, you know, we were hoping to gain five million in taxes, you know, with this industry, we had went through the Gambling and Betting Act before. And this is a source of funding that the country needs and the industry really I am wondering is if the industry is drying up, if you find that we are in a situation where people close down their casinos, people close down there bars, you know, in a catch 22 situation where you are planning to get money on one hand from this industry, but it is drying up so, you have to know how we could stimulate that industry again. And I look at the fact that if you are going to try to stimulate this industry, I have seen in the Bill, when I look at clause 2, the Gambling and Betting Act, you know, we looked at clause 2, where it served to amend section 29 of the Gambling and Betting Act, where you are trying to reduce:

“The fees payable pursuant to paragraph 17(2) of the First Schedule for the year ending 31 December, 2020, shall be reduced by forty two per cent.”

So I have seen through out here, an attempt made to stimulate that industry, but two things I have to make mention the fact that the—we have to appreciate that there is an article I want to read in the *Guardian*, on the 12<sup>th</sup> of July 2020, on a media report, “Illegal Play Whe operators robbing State of billions”. And in this article, it actually made mentioned that, you know, we are, it is like an

underground economy, we are not even getting the money from this. And in a sense, I had two minds about this, because here you are trying to prop up this industry, granted, we are trying to get at the workers who are single mothers and persons out there trying to make a living. But here you are, you are trying to prop up an industry which had allegations made before of robbing the state of billions of dollars. So it is like you are pumping money into an activity, pumping money into our business that had some ill effects before. And remember, some persons mentioned to the fact that, it may be a 1.3 billion per year, other persons say up to three billion per year, maybe money is running through there that we are not getting a full account for.

Granted, we have had the Gambling and Betting Act, you know, come on board to try and see if we can somehow clean up the taxes that we could gain from that. I am a little bit concerned that we are now trying to prop up that activity but I see the Government's reasoning behind it in the sense that you are trying to see if you can really reach to those individuals who are unemployed, those individuals, those single mothers, those others who did not get jobs in those months that the economy basically was under the lockdown and the restrictions were there.

**4.30 p.m.**

So I see the need that, you know, you are trying to see if you could probably stimulate that but I want to just read in, Madam, August the 27<sup>th</sup>, 2021, when there was the association of union members clubs and lottery machines, the union representative claimed he wrote to the Prime Minister, the Minister of Finance, appealing for help and he said there are 5,000 people who were directly affected but in his estimate—or in their estimate 30,000 persons also support this industry. So it is a lot of persons out there who if this is handled properly, if this tax concession that those persons are getting who had their casinos and their—you

know, their bars running these gambling machines, if it is really—if they are getting that concession we have to really hope that it goes down to the individuals who work there and this is my concern. You see, you may have an owner getting a concession but it may not reach to the individuals who work there.

I would have rather that the Government give us some sort of a grant to the ex-workers who are there—workers who are there and say, “Let us give a half pay to the workers and pay them that grant so they can start back in their business and let the owners of these clubs pay the other half”. So in such a way you are ensuring that the workers themselves, who I am sure the Government wanted to not just stimulate the economy but to get these individuals out there who were probably unemployed to get them back employed. I think it would have been a more direct measure to say, “You are going to get half pay, let the clubs actually now pay the other half”, to get them on board.

So I am looking at, we may have to see how this thing pans out. Will the workers also be in that situation where they may be crying the next three months; they are not on board again even though this piece of, you know, this piece of legislation is passed. I guess when the union comes on board they can give a sort of statement to the Government that, are there ex-workers gaining somehow from this or is it only the owners of these establishments would be gaining from this? So this is one concern I had.

Madam, I would like to look at the fact that—looking at clause 5, the Motor Vehicles and Road Traffic Act, now granted, we saw an expansion where new electric motor vehicles would now be taken into account. It does not matter the engine, horse power, size, whatnot. So again it is a good idea because you would find that why—you know, why sort of discern different sizes of engines when the whole purpose of it is to give us a green effect, a green, you know, economy, to

give us—sorry—give us an environment that is more, you know, conscious, less carbon in the environment. So I am saying that I welcome that move, all electric motors, regardless of size and this I think is something that is an improvement. But also I have a concern when I looked at clause 5(b) where it made mention that:

“used electric motor vehicle, imported for private use, which is not older than two years...”

I am saying—it was mentioned before, Madam, that persons may gain more, persons out there who cannot afford a new electric vehicle may gain more if we could have increased this from two years. I understood what the Minister was saying about the environmental concerns about the battery disposal but that is something we have to have in place anyhow when electric vehicles come on board. So the discourse that the Minister was saying, the older batteries will expire quicker and there would be an issue of dumping, that is a valid concern but we should have been preparing for that anyhow. So I am thinking, the two years, I would have hoped to actually get more persons involved to be able to buy and purchase cars. My suggestion is you take away that two years and also ensure we have the Environmental Management Authority give us some safety features where we can take care of these batteries that we would have to do anyhow for the next few years because I think it would reach the common man better, reach his pocket better.

Another concern I had, Madam, is the fact that we are dealing with this whole issue of electric cars; Madam, sometimes you are trying to get a car and some companies are still only making hybrid cars. And I heard mention, some Senators say that if the Government could consider a hybrid car and I am thinking, you know, this also should be an interim measure because we do not know how long electric cars will actually be the reality where it is only electric cars. So in the

interim it should have, you know—I would have, most respectfully, think that a hybrid vehicle would have been there, electric vehicles would have been there, as well as electric vehicles, you know, running, you know, older than two years to at least get a greater input. We all know the danger of the car exhaust, the fumes, with cancer, on the environment and again this measure I think is excellent but I think we needed to expand it a bit, especially in those features that—concerns that I had there.

Looking at clause 6, Madam, the Port Authority Act where it is really to exempt the Port Authority from, you know, VAT, VAT exemption for, you know, any sort of:

“...plant, machinery, appliances, apparatus, equipment and materials of every kind whatsoever, whether acquired locally or imported...”

So I have a little concern with that, “materials of every kind”, you know, “acquired”. Now, granted, it made mention, I think the Minister made mention that there are other authorities who would also gain from this value added tax being exempted and granted it would lead to less bureaucracy, less work on the value added tax department now having to process if we give these things. So there is a great advantage. So you would find that the ease of the authorities doing business would be better. They do not have to file all these forms and tie up the VAT system department which is already under strain.

So while I see those advantages, you see, we have to be careful that a runaway authority may not now order certain materials that, you know, we are not really accountable for, certain—you know, even though it is in the course of their duty you find the efficient running of their duty. Madam, that to me—that, you know, gives them a great leeway where you have to guard against a runaway wasteful authority who may bring in items like luxury items. And, you know, in

the past when you had to go through for the VAT you would have had a paper trail where someone in the VAT office may say, “Hey, you know, they are bringing in curtains”, or they are bringing in whatever they consider necessary for the proper running of their office or whatever, and you find that you may have had a greater level of transparency in the sense other people may see what they are out there now because it has to go through the system.

So while we may have had a paper trail before, that is no longer there. Now, I am thinking that if you had authorities and persons in those authorities who may overspend, who may use this, we should have a level of transparency because it is taxpayers’ dollars that we would know exactly what they are purchasing. So somehow we would have that, what they are itemizing; is it cars, is it something, equipment, at least to give the taxpayer some level of assurance that there would not be any sort of extravagant sort of spending.

Looking at clause 7, Madam, where the Income Tax is amended—the Income Tax Act is amended and I looked at part (b) where it serves to—actually for first-time owners it serves to give them an added benefit where in:

“in subsection (1), by deleting the words ‘twenty-five thousand dollars’ and substituting the words ‘thirty thousand dollars’;”

So a lot of young people may gain from this. A lot of young people are probably very grateful now. So if they want to get a home it makes them have that advantage. So this is something I commend the Government on. I have a young son; he may gain from this. Young persons may gain from this, but we see now again we have to tie in this, what is happening to the rest of the economy because young doctors are crying out for—you know, they are just getting contract work so they may not be able to afford to take a mortgage if they are just contract workers. So I make a plea for the young doctors and all those others, contract workers. Even

though this is good intention you will find that all the good intention in the world, if they are not getting that contract in their workplace, full-term contract, not just—it would not give that benefit.

I look at part (b), (ii), (iii), et cetera, and it really serves as the Minister said to kind of clean up the Act and bring things together. So I move on now, Madam, to clause 8 where it looked at the rate of business levy for the SME. Now, as I mentioned before, the thrust of the Government is to try to encourage the small business and the small and medium enterprises to actually take up that goal to reinvest to stay on board, to survive in this time, so I have no problem with this. I think it is good to give them that levy but I also now look at contrasting this with clause 11. So while I am saying the rate of business levy was adjusted, while I look at clause 11, to my understanding, Madam, we are also giving a rate of Green Fund levy for SME listed companies, so I am getting the impression here that to give them a benefit also, clause 8 looks at the business levy; clause 11 looks at the rate of Green Fund levy for the SME where you are giving some of them, you know, when you are trying to look at clause 11 where it looks at:

“(a) zero”—rate—“for the first five years from”—the—“listing;

(b) fifty per cent of the rate of the Green Fund Levy set out in section 62...”

So it gives a rate where I got the impression you are now trying to say you do not have to pay the Green Fund levy.

So somehow I would not agree with this if I am getting the correct perception with this because I am thinking, if you are trying to encourage a green environment, if you are trying to encourage electric cars, if you are trying to encourage expenditure to mop up and clean up the environment, I would not have touched this Green Fund levy because I think it would go against the rest of the Bill trying to give us that electric car, and again with the COP meeting they had

and even the Paris Agreement that we were signatories to before. So that is one aspect if I can get some clarity on that. And, Madam, when I look at clause 8 and I looked at the fact that there is some sort of a thrust to encourage the small and medium enterprise companies to enter the stock exchange, the junior stock exchange, and I heard figures that in Jamaica there were 40 companies as such and in Trinidad only two. So somehow again—the last time in this place we discussed the free zones and even in that we noticed we were lacking and Jamaica was far ahead of us.

So again we have to see what are we doing wrong as a country where, you know, somehow other countries are beating us to certain things. And, yes, I have a great concern with that. And I have to congratulate the Minister for trying to see if we can bring in the small business enterprises to enter that junior stock exchange to somehow—we offer them some sort of inducements, you know, dangle little cards in front of them to say, “If you enter that stock exchange you would now be entitled to more loans”, and in this way you are trying to stimulate them to do something. But some small companies may not want to come in here. As, I think, Sen. Deonarine mentioned, it might be small business, you know, family business and they may not want that scrutiny. Some people may use it to try and do some tax benefits of, so by you scrutinizing them further they may fall under that radar that they may not want to come under.

Then the other thing too, I heard mentioned that there was a mentorship programme that, you know, the small and medium persons, companies may benefit from a bigger company coming, looking at them, advising them. But I also heard Sen. Lyder mention that, even—when we looked at what is happening in the business situation where Neal & Massy he mentioned was now in foreign used parts and the small businessmen in foreign used parts are being somehow pushed



out of the market. I think the mentorship programme, it might be—we have to be a little cautious that the big business, even though they may be there to mentor, that they would not be like parasites where they would now want to push out the small business, take their ideas, develop whatever they have and run with it to the detriment of the small business. So we have to see somehow we could put something in there as a way to protect the small business enterprises who may want to come on board in the system without fear.

I have to say, Madam, when I looked at the clause 8 and I looked at part 10 where we looked at conservation or preservation of property of interest, and basically what this does really is to see if you have a property of interest, meaning under the National Trust of Trinidad and Tobago Act, you know, a property of interest, you know, if somehow if you could now put your moneys towards that you may get some benefit. I think this is very commendable. Madam President, right here, in Frederick Street and Knox Street, there was the Anglican Church—I think there was, that was knocked to the ground and you had historical facts where that church—you had a burial site there and it gives us a history of, I may say, of memory. We found that our country has a lot of persons who are now—we are what you call an ageing population. And persons who pass and see that Church of Scotland—I cannot remember the name of the church—that church, it would have provided memory and helped our individuals because we are now having an increase in dementia. So preserving these properties regardless of where it is in Trinidad and Tobago would help our individuals who are now undergoing dementia or memory changes and you would have far better benefits if we could preserve these buildings wherever they are in Trinidad and Tobago.

St. Joseph was the first capital but a lot of their old buildings, they are now ground to the dust and are replaced by newer buildings. So I commend the

Government for this and I am thinking more persons should come on board to take this up; it is for the benefit of the society. I look at the fact that 10 also, 10 part (e), where the whole idea there is to get the business more involved in information technology, digitization and technological development. So granted, this is the Government's thrust, this is the thrust of the world, this is the thrust where COVID has put us and we need to have more high-tech; we need to have more ways of doing business via Internet, et cetera. Again, I am pleased with this. I was a bit concerned sometime that if you go to have too much of technology, any sort of development in terms of technology would you lose jobs of actual people who are there doing their work. So, I mean, you have to balance one with the other but I think this is also something that—it is good but we have to look at would it create job loss if we now replace individuals who are doing their work with some sort of technology.

I look at clause 9, Madam, and I have full marks with that, it is carbon culture, to try to, you know, help the—again, I mentioned the Paris Agreement and to save the environment. I also look at clause 10 where you look at the value added tax and I just want some clarification because where 10, we looked at—

**Madam President:** Sen. Deyalsingh, you have five more minutes.

**Sen. Dr. V. Deyalsingh:** Thank you, Madam. It was mentioned here in 10(a)(2), when we are looking at—we are looking at you are getting the concession for new electric motor vehicles imported for private use and they also mention the two-year one, electric for private use, and I want to know, is it that taxis are already exempted? Is it that we are not saying that taxis do not also—you know, so I need to know. Is there a taxi who does a lot of running for the day with fuel, you know, with the fuel wastage—fuel waste and the environment, is there anything in place for taxis? So is it private only or should we now expand that?

I also look at the fact that the Customs Act is now amended where you have canes and, you know, and braille typewriters coming in and I commend that because those individuals have a hard time, disabled individuals. But I have to make a claim also, Madam, because part 12 also looked again, mentioning articles, but remember we cannot really discriminate against the deaf; a deaf may need a hearing aid, it is very expensive; dementia persons, we need video games to help them. So I think the Minister involved there may have to expand whatever articles, lest the deaf now say that the blind is getting a greater concession than them. And I see mentioned the braille typewriter but for some time we have gone beyond the braille typewriter, Madam. There is computer aid now, voice, where a blind person can just read out something in the computer, read it back to him, and then he says, “print”, and it prints. So we have to keep in contact with what is available for others elsewhere.

Again, Madam, I would like to say that I was comforted when the Minister mentioned in clause 13, the Securities Act, that it was really there to attempt persons from not getting involved in these schemes that occur but remember sometimes we have—the lure is there; remember it is the Ponzi scheme. The Minister said it is not the sou-sou so I get comforted in that. Remember Ponzi schemes were there where dangle things in front of people. It is just like when Jesus went to the mountain and the devil tried to tempt him, persons are tempted and sometimes we need to protect people from themselves going after easy money.

I was smitten also in Clico when—though it is not a Ponzi scheme—when I invested money with a high interest rate and I learned my lesson after. So sometimes—I applaud this because Ponzi schemes and those schemes there cause a great distress to the populace, and just as how we are having certain laws to protect the populace from themselves we also need certain laws there that they protect

them from these Ponzi schemes.

So in conclusion, Madam, I must say that I support any move that the Government has to stimulate the economy, any move it has to try and get things going. I heard the Minister mention in the end that he spoke about the south-west peninsula being developed and a Chinese company coming in with 70 per cent ownership, and I just want to caution; we are seeing so many news articles about the world and China and they might be taking over the country, we might have to educate the public on if it is, you know, on that so-called Chinese dragon that people tend to think may be just spreading their wings and the Belt and Road Initiative trying to take over countries. So we have to do some education and show us how the country will be protected for any sort of investment in our south-west peninsula. Thank you, Madam.

**Madam President:** Minister of Works and Transport.

**Hon. Senators:** [*Desk thumping*]

**The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan):** Thank you, Madam President. Madam President, I thank you for the opportunity to contribute on this Bill, the Finance (No. 2) Bill, 2021. At this point in time I would like to take the opportunity again to congratulate the Minister of Finance and his team. This Bill is the Finance (No. 2) Bill, it is not the budget but I want to take the opportunity coming out of the budget prepared by the Minister of Finance and his team for doing a fantastic job to bringing us to this point where we can operationalize the fiscal measures in the budget.

Madam President, this is not an easy time to be managing a country and balancing the finances of the country and one has to be very innovative if you have to maintain the lifestyle, secure the citizens, keep a maintenance programme going and also to have a development programme that can bring the economy back

online based on the global challenges that we face, and by extension the challenges we face as a country in terms of the economics of the day.

Madam President, this is the Finance Bill and most of my colleagues would have dealt with most of the clauses in this Bill and my approach will be to deal with basically clause 5 and clause 6 of the Bill. I was pretty surprised to listen to Members on the Opposition as to the challenges they would have had with clause 5 and clause 6 and I hope I can bring some clarity to them to prove the point that the Minister of Finance tried to make that this budget and this Bill are really for the betterment of the country and the citizens. Madam President, clause 5(a) of the Bill seeks to amend the Fourth Schedule of the Motor Vehicles and Road Traffic Act by replacing existing paragraph 9 with a new paragraph to provide for exemption on motor vehicle taxes that would normally be charged on the electric motor vehicles.

Clause 5(a):

“new electric motor vehicle, imported for private use”

and:

“used electric motor vehicle, imported for private use”—where the vehicle is—“not older than two years...of”—the date of—“manufacture.”

Madam President, what is so difficult about that? We need to remind this House that Trinidad and Tobago as a signatory to the Paris Agreement is embarking on measures to fulfil its commitment to reducing emissions through ratification of the Paris Agreement in February 2018. Trinidad and Tobago will have to reduce cumulative greenhouse gas emissions by 15 per cent, therefore this amendment will help to fulfil this commitment as there will be a significant decrease in the level of CO<sub>2</sub> vehicle emissions with the use of the electric cars on our nation's roadways.

Madam President, I have heard several references by the Opposition trying to tie this clause with the assumption of the Minister of Finance is for some strange imagination is trying to put used car dealers out of business and this is for just the elite in society; far from the truth.

**Hon. Senators:** [*Desk thumping*]

**Sen. The Hon. R. Sinanan:** Far from the truth. Why do we want to comply with the Paris Agreement? Madam President, we all know about global warming and we all know about the challenges that we have faced with here as an island state with the effects of flooding, coastal erosions and so, and if this simple little strategy is a step in the right direction for our contributions to the betterment of and the improvement of global warming, I think it is a step in the right direction. The Minister of Finance never said that this is only for new car dealers and if one is to look at the advertisements in the newspaper you would see used car dealers also bring in new cars and new vehicles. So this is for anyone who will be bringing in new or two-year-old electric vehicles to Trinidad and Tobago. This is a step in a direction where the country has to go eventually.

At the Ministry of Works and Transport, we are looking at our public transportation, even at the PTSC where we are exploring now the option of fully electric buses to operate, especially in areas like the Priority Bus Route and even to run a service around Port of Spain because we know that this mode of using electric vehicles is a much healthier mode for the environment and the population. So this is simply one way to move where the rest of the world will be moving. It has nothing to do with the parts place in Bamboo, as some Member of the Opposition tried to put forward, that we are trying to close down the Bamboo. Those still exist, but it is one way to introduce the new technology, the safer technology that the rest of the world has adopted.

It has nothing to do with who is—new car dealers and used car dealers, it is for anyone who wants to import an—

**Hon. Senators:** [*Desk thumping*]

**Sen. The Hon. R. Sinanan:**—electric vehicle into the country. We are trying encourage them to go into that direction and eventually the entire world will be looking at this new technology. Madam President, clause 5(b) seeks to amend paragraph 3 of schedule nine to increase the existing fixed penalty fines for a goods vehicle which carries excess weight from \$750 to \$4,000, and an increase in the amount of the demit points for any person in breach of such offence from three demerit points to four demerit points.

**5.00 p.m.**

Madam President, again, the Opposition tried to make this into a point that we are against truck drivers and we are abusing the process. It is not a new law. The law exists for as long as we can remember. Trucks in Trinidad and Tobago do have a load limit. We have to protect our infrastructure. Our infrastructure is close to \$40 billion, the value of that. That takes a lot of money to maintain, money that we have not been getting access to over the last couple of years because of the state of the economy. As Minister of Works and Transport, I cringe sometimes when I listen to some of the comments on the roads. And I am not going to stick my head in the sand and say, “No, our roads are of good quality.” We have a lot of work to do but we still have to protect what we have.

The effects of the overweight trucks on the road—and if I am just to quote what overweight trucks do. One, overweight—and before I go into what the overweight trucks do, let me just give you a little indication of—Sen. Lyder made some assumptions. Clearly, Sen. Lyder does not understand how the Transport Division, the Licensing Division operates. He indicated that, “How are we going to

assess these trucks? If we are just going to look at them and say they are overweight.” No, it is not done like that. And just to give a little indication, during the period—let me give him some exact quotes on an exercise that was carried out by the Transport Division so he will have a fair idea as to what we are dealing with on—in terms of overweight trucks and how it is dealt with.

During the period, Madam President, 2018—let me just get the exact date so I do not quote the wrong dates of the exercise and how the exercise was conducted by the Transport Commissioner and his team in 2018/2019—126 trucks were weighed at the Caroni licensing division and the OAS compound, over the period 4<sup>th</sup> of October, 2018 to March 08, 2019. And the results were: 94 per cent of the heavy T trucks were overweight; 95 per cent of the extra heavy T vehicles were overweight; 8 per cent of the heavy T vehicles were overweight by 100 per cent; and 4 per cent of the extra heavy T vehicles were overweight by 100 per cent.

Now, Madam President, all—almost all the trucks that were weighed were overweight. And just to give you an example of what overweight trucks do to the road. One overweight truck by 20 per cent on the road network is equivalent to 19,000 cars driving on that same road; one overweight truck, 19,000 cars. That is the wear and tear that you have. And when you have trucks overweight by 100 per cent, you calculate how much usage that truck puts on the road. The average truck that was overweight was between 25 and 60 per cent overweight. Now, what do we consider overweight in Trinidad?

Our roads are designed—and we are talking about our major roads and our highways—are designed for an axle weight of 10 tonnes per axle; 10 tonnes per axle meaning if your truck has two axles to the back, that is 20 tonnes and then you have the front axle which, I think, is about seven or eight tonnes, the manufacturers’ design. So every truck is designed for a certain weight. It is



licensed for a certain weight. And before your truck is placed on the road, if it is a truck is above a certain size, it has to be licensed by the transport board and they will give you the approved weight for the truck. So before you put your truck on the road, you have an approval by the transport board if it is an extra heavy T truck and you are given the weight. So it is not done by a license officer just pulling a truck and saying, “This truck is overweight.” And if it is a truck below the 10 tonnes, you are licensed for a certain weight by the license office, the Transport Commissioner.

So every truck on the road is licensed to carry a specific weight and that is why you see at the bottom on some part of the truck you have the tare weight written in black and white and the MGW weight. All trucks have that. So the owner of the truck knows the weight that the truck was licensed to carry. And the exercise that takes place is that once you observe a truck that seems to be above that weight, the license officers will then command that truck to go to a weigh station. These weigh stations, we have one at Caroni, we have one at San Fernando, we have one at Port of Spain and we intend to bring in more scales, mobile scales as well because we, based on the performance of the road network in Trinidad and Tobago, we have to maintain the existing road networks. And what we are saying is that overweight trucks are damaging our road network and you can see that as drivers. If you look at the eastbound lane of the highway, you will see most of it does not have that impression by the traffic lights and so.

If you look at the westbound lane, coming out of the east, you will see by most of the traffic lights a lot of waves and so, that is because that is where the trucks stop on the lights and the weight of the truck is causing that. So if we use the correct weight that the truck was designed—was licensed for, we do not have a problem. Now, we may think that our standard here in Trinidad might be too low. I

heard somebody said, “Well, we have to design—engineer the roads for higher weights.” Let me just give you what the international standard is on road design.

In Africa, they range per axle tonne from 7,700 to 9,000. Bearing in mind, we in Trinidad, we are at 10,000. USA, 9,000 per axle tonne, we are at 10,000; Canada, 9,100, we are at 10,000; Germany, 10,000; Switzerland, 10,000; and the United Kingdom, 10,500; Australia 9,000; Trinidad and Tobago, 10,000. So we are there at the international standard. Just one country, 10,500, is above us.

So the trucks that you may feel that we are taking advantage of, cannot operate like that in no part of the world, not even where the trucks were built. And that is why if you enter a highway in the United States with load, you have to go on a weigh station first and the penalties are vigorous because they do not play with their infrastructure and that is where we are heading.

What we have found in the past, \$750 for a charge and if you are charged once every five years, one load will pay the fine for you. And that is why no one took on the—took that seriously, where if you got charged, you paid \$750. The possibility of you getting charged was nominal. And if you make four, five trips for the day, double up your load on one trip, \$750 probably every five or 10 years, that is no problem. With the demerit point, if you get caught with that, the possibility of your licence being suspended is there, so it is a deterrent.

This is not a tax, as Sen. Lyder said, that the Minister of Works and Transport is looking forward to get because that cannot help us to rebuild the road after the roads are damaged. And in most cases, the size of trucks that do this damage are the same ones that we have to come and pay to rebuild the road. So I cannot see how someone can object to the Government trying to protect the infrastructure this way because this is not something that we are inventing here. This happens all over the world. Our standards are 10 tonnes per axle. That is the

international standard. Our roads are designed—our major roads and highways are designed at international standards. The problem we have is a lot of the secondary roads evolve over time and they cannot take the weight, so that is why certain trucks are licensed for certain routes and the Ministry and the licensing office will now be going out there and if they find trucks that were licensed for specific routes, they will be seriously taking action on them because these overweight trucks are causing harm to our road network.

They also bring harm to the road users because if a truck is designed for a certain load and you overload that truck, the possibility of getting blown out tyres, the possibility of the—

**Sen. Dr. Dillon-Remy:** Just—Madam President, just a question for the Minister.

**Sen. The Hon. R. Sinanan:** Sure.

**Sen. Dr. Dillon-Remy:** You mentioned three weighing stations in Trinidad. Are there any in Tobago?

**Sen. The Hon. R. Sinanan:** At this point in time, I cannot answer for Tobago. As you are aware, a lot of the infrastructure in Tobago is handled by the THA. But we have given a commitment through the licensing office to work with the team in Tobago. And in our new dispensation, if Tobago requires the weigh stations, yes, we will make—work with them to have it available because Tobago does have a major quarry, probably one of the best quarries in the Caribbean and, you know, I think they need to have some sort of guidelines as well in Tobago. So I take your point and it is something that we will definitely will be working on with the representative from the THA.

**Sen. Dr. Dillon-Remy:** Thank you, Minister.

**Sen. The Hon. R. Sinanan:** Again, and just to get back to the point, putting the commuter's life at risk as well, an overweight truck can affect the braking system

of a truck. And that is why sometimes you see these overweight trucks when they try to stop, they cannot stop because the truck is designed for a certain weight. Now, there will be an argument by some of the larger trucks that, “Look, my truck was designed to take this amount of weight.” It is not what your truck is only designed for. It is what the road network is designed for and that is why our road network allows 10 tonnes per axle which is the international standard.

I have had that argument and my answer to that is that a Ferrari was designed for 300 kilometres an hour. But our road network is designed for 100 kilometres an hour and that is why we have a speed limit of 100 kilometres. And if you break the speed limit, you pay the consequences because you are putting other people’s lives—it is not what your car or your truck is built for. It is what the infrastructure was designed for.

So, Madam President, having defended those two—clause 5(a) and clause 5(b), I think I would have rubbished some of the challenges to why we want to implement them. It is not a tax to raise revenue. It is to protect the infrastructure in terms of clause 5(b) and to protect the lives of the commuters and to introduce the new electric vehicles into Trinidad and Tobago which is basically the way to go. As a Caribbean island, as Trinidad and Tobago, we have to do our part because as Minister of Works and Transport, I am seeing on a daily basis the effects of climate change and if this little step will put us in the right direction, I think we should all support this.

If I am to go now to clause 6 which is the—clause 6 of the Bill seeks to insert a new section 35A from the existing section 35 to exempt the Port Authority from all value added tax related to any:

“...plant, machinery, appliances, apparatus, equipment and material of every kind whatsoever...”

Madam President, again, a lot of speculations from the Opposition that this clause is for the new operator and the person the Government is going to sell the port to. Rubbish. This is for the Port of Port of Spain. And if and when the port finalizes PPP, this clause will be revisited by the Minister of Finance. The reason why we—the Port of Port of Spain has asked for this is because every time you have to buy a piece of equipment, the Ministry of Works and Transport has to go to the Cabinet, we have go to the Minister of Finance get an exemption and the exemption is granted and it is a long, drawn-out process. This has to be something that was overlooked and it is just to correct that. The port gets the duties off and this is just to allow to get the duties and the VAT on that process. There is nothing else in it than that. Every time the Ministry—the port just bought a crane, you have to go and get a tax exemption on that. You have to buy equipment, you have to go and get a tax exemption—a VAT exemption. This is just to simplify the process so that the port does not have to go Cabinet every time they have to buy a piece of equipment, the Cabinet has to approve it, the Minister of Finance then has to approve that and then you get back to the port. By that time, you have sometimes a month, two months, three months with a delay of a part or a piece of equipment just lying in Customs just waiting for that exemption which you know is going to come but takes a long while. That is simply what it is.

Madam President, again, this is the Finance (No. 2) Bill. All my colleagues would have spoken and they would have corrected most of the other queries that were raised. So having said that, I think I would have said enough and I am sure that clearing up some of these allegations, I do not think we need to go any further. I thank you.

**Hon. Senators:** [*Desk thumping*]

**Madam President:** Minister of Finance.

**Hon. Senators:** [*Desk thumping*]

**Madam President:** Minister, I remind you, you have 30 minutes.

**The Minister of Finance (Hon. Colm Imbert):** Thirty minutes. Thank you very much, Madam President. Madam President, whenever I listen to the Opposition Senators, I wonder whether I am in a twilight zone. It seems to me when I was looking for a definition of what is an altered state of mind, I was just wondering, you know—

**Sen. Mark:** [*Inaudible*]

**Hon. C. Imbert:**

“An altered state of mind is a change in...”—someone’s—“normal mental state as a result of trauma...accident or induced through meditation...”

**Madam President:** Minister—

**Sen. Mark:** [*Inaudible*]

**Madam President:** Sen. Mark, please. Minister, thank you for enlightening everyone about that definition but could I ask you to move on, please?

**Hon. C. Imbert:** You are welcome, Madam President. And I am sure Sen. Deyalsingh will know what I am talking about. But, Madam President, I am constantly amazed at the statements made, in particular by Sen. Mark. Some of the statements the hon. Senator made today are just shocking and that is why I felt I needed to describe an altered state of mind. Sen. Mark somehow managed to describe tax exemptions; increase in allowance for first-time homeowners; increase in the allowance for contributions to pension plans, annuities; incentives for companies involved in digitization, in manufacturing; incentives for persons to invest or to contribute to the preservation of our historic monuments and sundry other measures in this Bill, all of which are benefits, somehow Sen. Mark saw

these benefits as oppression and punishment for the citizens of this country. I continue to be astonished. Let us deal with some of the misleading and inaccurate allegations made by Sen. Mark as per usual.

With respect to hybrid motor vehicles, the allegation that the Government has removed tax incentives or tax concessions for hybrid motor vehicles is simply false. And in fact, Madam President, I had to correct this in 2019, when some mischief was put into the public domain by the Opposition and to make the point that the tax concessions that existed at the time which are full exemption from duty, motor vehicle tax and value added tax for hybrid electric and CNG motor vehicles were still enforced. What we did in the 2018 period was to look very carefully at the loss of customs revenue from the luxury hybrids that people were bringing. When we introduced the measure back in 2016/2017, we limited the importation of hybrid vehicles to vehicles of an engine capacity of 2,000 cc. But the car manufacturers all over the world have now introduced a number of turbo-charged engines with an engine capacity of 1.8 litres, two litres, et cetera.

So what saw happening was not that persons at the lower end of the income scale bringing in hybrids but people were bringing BMW hybrids, Mercedes hybrids, Porsche hybrids because they were bringing in these types of cars with a two-litre engine that were turbo charged. And in that—in one year, Madam President, the loss of customs revenue to the country was \$350million. So what we did, because we still wanted to incentivize people to use these energy-efficient cars or environmentally friendly vehicles, we simply limited the engine size to 1519 cc, 1600 cc, so you can still bring in an electric car, a hybrid car or a CNG-powered car, once it is below 1600 cc free of duty and tax. They are endless hybrids in Trinidad and Tobago, Madam President, endless. I could use one as an example, the Hyundai Ioniq which is 1519 cc free of duty and tax and therefore, this is why I

say they live in the twilight zone.

**Hon. Senators:** [*Desk thumping*]

**Hon. C. Imbert:** They do not live the real world. It is just the luxury hybrids that became the problem. So for the person at the lower end, they can buy a Hyundai Ioniq or any other one of those small hybrid vehicles that people are making nowadays and bring it in free of tax. And that applies to used as well. It is both new and used. So this is just mischief on the part of Sen. Mark.

I want to compliment the Minister of Works and Transport. That was an excellent contribution, Minister Sinanan.

**Hon. Senators:** [*Desk thumping*]

**Hon. C. Imbert:** Very good. You explained to Members opposite exactly what large trucks do to the road and the fact that there is nothing new about this measure and that I can speak without fear of contradiction that the vast majority of damaged to the roads is done by overweight trucks. And it is not just trucks. It is excavators who run on the roads with their tracks and then there are vehicles used for logging in the areas where we have teak fields and so on which have large, spiked wheels. They destroy the roads. And therefore, if anybody was a student of science, they would understand that it is extraordinary axle load and the weight of these trucks that are destroying our roads. Regular cars do not destroy roads and therefore, I do not think one should even have to explain that to UNC Senators. But I think I have changed my mind, it is necessary because as I was telling someone, I listened to the contributions of Sen. Mark, Sen. Lyder, Sen. Nakhid, Sen. Roberts and I tried to wrap my head around the irrationality. I tried to rationalize the irrationality and eventually realized that it did not make any sense because there is no rationality from those four Members. Everything they say is absolutely irrational. With respect to the VAT exemption for the Port Authority—



**Madam President:** Minister, can I ask you to rephrase what you just said.

**Hon. C. Imbert:** Certainly, Madam President. Everything that the hon. Members say, when I try to analyze it from a rational perspective, it is impossible.

With respect to the VAT exemption to the Port Authority, the point that was missed, whether deliberately or otherwise, was that the exemption is for the Port Authority which is a creature of statute. An exemption given to a statutory authority cannot be automatically transferred to a third party. So that if and when—and I hope it is sooner rather than later—a private sector operator is brought in to deal with cargo operations at the port to operate that aspect of port operations, there is no way that a VAT exemption that is being given to a statutory authority could by osmosis or some other magical means be transferred to that private entity because the law would not permit that and that should be obvious.

And the fact of the matter is the Port Authority Act was originally passed in 1961. At that time, it exempted the port from customs duty and income tax. But VAT did not exist in 1961. So that when value added tax was introduced by the NAR government in the 80s, at that time amendment to the Port Authority Act may have been missed. For whatever reason, it was not done. But if there was value added tax in 1961, the port would have been exempted from value added tax at that time. So all this is doing is harmonizing the policy that the Government has had for the Port Authority from 1961.

And as the Minister of Works and Transport pointed out, if they want to bring in like one of those large cranes that handle containers, they have to come to Cabinet to get an exemption on VAT. There is no benefit to the Government per se because it is one pocket to another. If the Port Authority pays VAT, it is paying it to the Government and the Government owns the port. So I hope that clears up that bit of mischief there.

Sen. Mark also said there is no withholding tax in the Caribbean. Nonsense. Withholding tax exists throughout the Caribbean and the world. And Jamaica and Barbados are prime examples where withholding tax exists. So, Sen. Mark, as per usual, there is no value whatsoever in his contribution, hyperbole, exaggeration, mischief, misleading everyone. Let me move on.

I got an interesting commentary from my staff because well, just for the benefit of hon. Members, even though I may not be in the Chamber at all times because there are a lot of things that I have to do from time to time which requires me to be in and out, I have a very dedicated group of people who make notes of the contributions of all Senators and send them to me with counterpoints. And I got a very interesting commentary with respect to Sen. Nakhid, very, very interesting and I will read it in for the benefit hon. Senators who might be interested. And the email to me says:

Here is a summary of notes on the contribution of Sen. Nakhid.

And then, in big bold letters:

**NO COUNTERPOINTS REQUIRED.**

I think that sums it up. So let us move on now—so we can put aside Sen. Nakhid. Let us move on now to Sen. Roberts. Sen. Roberts, again, in his usual style—and I notice now, Madam President, that we used to have one screamer on the UNC Bench. We now have four. Really, UNC could do better. But let us go now to what Sen. Roberts screamed at us about.

**5.30 p.m.**

And the first point that Sen. Roberts said, astonishingly, he tried to gaslight us to make us think that there was no Ponzi scheme or pyramid scheme in Trinidad and Tobago. He queried the fact that I cited media reports about Ponzi schemes and pyramid schemes in Trinidad and Tobago, and he says we do not debate media

reports here. Sorry, the hon. Senator said that. Imagine that, a UNC Senator says that, when every time I come into the Parliament I have to hear a UNC Senator reading out a newspaper editorial, a newspaper article, but according to Sen. Roberts they do not debate media reports. Ridiculous! Everybody and the world knows that we had a very serious problem with a particular Ponzi scheme or pyramid scheme in Trinidad and Tobago. Very, very serious problem.

With respect to the whole question of sou-sou, I just want to clarify that again. There is no prohibition on a legitimate sou-sou. In a legitimate sou sou you make your contributions every month, as the case may be, I use the example again, you may make six contributions of \$500, which means that you are entitled to \$3,000. The difference between an illegitimate sou-sou and a legitimate one is in the illegitimate sou-sou what people were tricked into believing is that you put in \$3,000 and you get back \$30,000. That is illegal and we are outlawing that. What will be legal is that a typical sou-sou is a savings plan, so you get back what you put in. That is completely legitimate and lawful, and we are in no way touching that. So I just wanted to clear that up.

Well Sen. Roberts also uttered the misleading information about hybrid vehicles. I want to repeat, that for the vehicles of 1599 ccs and below all tax exemptions remain. With respect to electric vehicles, as with all new technology, it is obvious that overtime the price of these items will be reduced. Anything in the modern era, to coin a phrase from my good friend Sen. Vieira, in the Fourth Industrial Revolution as we go to robotics and artificial intelligence, the price will come down. It must come down. So electric vehicles are in their embryonic stage, but I expect in a couple years that there will be reasonably priced electric vehicles available for sale all over the world. Sen. Roberts also repeated the mischief of Sen. Mark with respect to the corporation tax amendment to exempt tax from

interest income by the commercial banks on the SME loan programme.

As I said I sometimes wonder if I am in the twilight zone. If the banks had to charge the Government the full interest on the financing for the SME loan facility the Government will have to pay more. The interest—if the interest income was not exempt from tax, the interest rate would have been 4.5 per cent. Because the interest income on the SME loan facility for the Government—remember the Government pays the interest, not the borrowers, this is an interest free loan but somebody has to pay for it, so the Government pays for it. If we did not exempt the interest income from tax the interest rate would have been 4.5 per cent, but having exempted it from tax the interest rate is 3.9 per cent. That is what the Government will pay. It is going to save the Government and the country \$20 million. If we had not exempted it we just have to pay more. So there is no benefit whatsoever in this, except the Government has to pay less money for the lower interest loan because of the exemption on interest income. We could have done it the other way, we just had to pay more. So it demonstrates to me that members on the UNC bench they do not understand anything, or maybe they do and they just like to create “comess”.

Let me go now to the Independent Senators. Sen. Deonarine raised a lot of issues with respect to SMEs and micro businesses. And yes, these are very important points, and we do have a micro business programme through NEDCO, but we in finance are going to start looking at what we can do to help those smaller businesses. I accept that smaller businesses do face significant challenges in terms of accessing loans and in terms of meeting their statutory obligations and having audited accounts. And that is precisely why in this budget 2022 we put an allocation for a fund of \$50 million to provide free professional services to micro businesses, small businesses and medium businesses, and we are going to provide

accounting services, training in human relations, training in creating proper accounts, training in project management, and also help businesses to get the necessary discipline. This is free professional services, a fund of \$50 million, and that fund is going to continue for several years because we need—we recognized we need to help SMEs. So, that is a very pertinent point made by Sen. Deonarine.

Sen. Seepersad: Sen. Seepersad asked about cryptocurrency. On January the 05<sup>th</sup> 2019 there was a joint public advisory on virtual currency by the Central Bank of Trinidad and Tobago, the Trinidad and Tobago Securities and Exchange Commission and the Financial Intelligence Unit of Trinidad and Tobago, and these three bodies advised the public who are investing in or otherwise conducting transactions in virtual currencies of the potential associated risk. It is known that investing in virtual currencies can possibly yield to higher returns and other benefits such as lower transaction and processing times, but these are the risk associated with cryptocurrency.

1. Virtual currencies are digital representation of value that can be digitally traded, but does not have legal tender status in Trinidad and Tobago, and most other jurisdictions. So because there is no legal framework for virtual currency you have to be very careful, because how do you know what you are getting is genuine? Is it real?
2. Providers of virtual currencies are neither regulated nor supervised by the authorities. There are no legislative provisions under the authority's purview that provide protection to customers for losses arising from the use of virtual currencies. Virtual currencies, lack, appropriate internal controls more susceptible to fraud and theft than genuine currency;
3. Transactions involving virtual currencies are subject to high degree of anonymity. There is a potential for misuse of virtual currency to

conduct criminal activity including money laundering or terrorism financing.

4. And virtual currencies tend to be volatile. Their value can fluctuate significantly, and that makes them unsuitable for most investors, particularly unsophisticated investors.

So at this time the Government of Trinidad and Tobago is not supporting cryptocurrency, and one of the main reasons is, apart from those risks I just pointed out, that it is the currency of choice for international criminals, drug dealers and money launders, because it cannot be traced, and there are no reporting requirements as there are with regular currency in terms of financial obligation regulations, FATF requirements. There is none of that with cryptocurrency. So that in fact cryptocurrency transactions, most of them take place on the dark web, so we are not supporting it and we advise people against it.

There are several other points that Sen. Seepersad made with respect to the energy sector, but that will be addressed in 20—those items will be address in 2022 when we come with another finance Bill, because we have a lot of work to do with respect to financial matters.

Sen. Lyder, I think this falls into the category of no response required.

So, Madam President, I want to thank all Members of the Independent Bench who made contributions today. Their points are well noted as usual, very welcome. I want to thank Sen. Deyalsingh in particular for pointing out that this is an effort to incentivize the economy, and also to create some stimulus—and I want to thank every other Independent Senator. Sen. Deonarine, Sen. Seepersad, always have very responsible contributions and important contributions to make. As usual the Opposition was a tremendous disappointment. I wanted to use other words, but I figure you would rule me out of order.

So, Madam President, with those few words, I beg to move.

**Hon. Senators:** [*Desk thumping*]

*Question put and agreed to.*

*Bill accordingly read a second time.*

**Hon. C. Imbert:** Thank you, Madam President. In accordance with Standing Order 57(2), I beg to move that entitled an Act to make provisions of a financial nature and other related matters not be committed to a committee of the whole Senate.

*Question put and agreed to.:* That the Bill be read a third time.

*Bill accordingly read the third time and passed.*

### ADJOURNMENT

**The Minister of Trade and Industry (Sen. The Hon. Paula Gopee-Scoon):** Madam President, I beg to move that the Senate do now adjourn to a date to be fixed.

**Madam President,:** Hon. Senators before I put the question on the adjournment, leave has been granted for two matters to be raised. Sen. Lutchmedial.

**Hon. Senators:** [*Desk thumping*]

### Implementation of Security Measures

#### (Re: Prison Officers)

**Sen. Jayanti Lutchmedial:** Thank you, Madam President, for granting me the opportunity to raise what I consider to be a very important matter in light of recent developments in our country, and that is the need for the Government to implement updated security measures to protect prison officers in light of the murder of two prison officers during the month of November 2021. At the outset I wish to say that just after submitting this Motion for approval, I think on the very said day another prison officer had their home—had shots fired at their home which resulted in the

Implementation of Security Measures  
(Re: Prison Officers)  
Sen. Lutchmedial (cont'd)

2021.12.15

wounding of an off duty police officer.

Madam President, I think any person with a heart or human would have been heartbroken at some of the videos that have been circulating through the media and social media that showed a prison officer being killed in the presence of a child, and so I do not think that anyone can disagree with the fact that this is a matter that requires some urgent attention. Prison officers play a very integral role in our criminal justice system and they are responsible for protecting law-abiding citizens by managing the detention of convicted offenders as well as those who are remanded pending bail—pending trial, who are not afforded to opportunity for bail. If persons have their liberty taken away by the courts but they are still posing a threat to the safety of our prison officers, then this does not bode well for wider society who depend on our security services to keep us safe. If prison officers are under threat then what is to be said about witnesses, prosecutors and even judicial officers? An attack on any fraction or group of persons who are part of the criminal justice system should send off alarm bells in the minds of those who are tasked with implementing measures to tackle these issues.

For this reason, Madam President, I am disheartened to see that over the years this issue continues to come up, it gets some attention, but we are not addressing the issue or taking any meaningful measures to really curb the incidents of these types of crimes against prison officers. The issue of prison officers' safety is not new, and whenever a prison officer is murdered it is typically attributed to a hit, as they say, being put out from within the prison by someone who is incarcerated. I think that we simply cannot say that we will send thoughts and prayers and condolences and even \$500,000 rewards for the apprehension of offenders, because that is simply not enough. That does not undo the damage that

**UNREVISED**



Implementation of Security Measures  
(Re: Prison Officers)  
Sen. Lutchmedial (cont'd)

2021.12.15

is done to a child who witnesses a parent being gunned down or the morale of the remaining officers who must function in these environments, and again continue to work and to serve and to protect and play a role in our criminal justice system. The Government is tasked with finding solutions and taking action to mitigate against the risk of more prison officers becoming victims of violent crimes and to also ensure that the problem does not spill over into other areas of our justice system.

Let me frontally address one of the issues that I anticipate that will be raised in response, and that is the judgement where the policy of allowing prison officers to carry firearms was challenged. I anticipate typical deflection and distraction that UNC lawyers are preventing prison officers from having firearms. Well, I want to say that we have to find solutions not by breaking the law or bending the law, but by operating within the law. The UNC, we fully promote and uphold the rule of law, and it cannot be that we simply resort to a system of arming everybody so that who draws first will survive. Giving out firearms is not the answer. It has to be deeper than that. Yes, you can have a system, and this has been recommended previously, of FUL applications being prioritized when it comes to prison officers who are legitimately threatened. But this prison threat assessment committee set up by the commissioner of prisons, where this power to allow prison officers to carry firearms while they were outside of the prison, because they were on constructive duty, simply is a band aid placed on a very festering wound and it simply will not do. It has also been struck down by the court.

Madam President, during the People's Partnership administration, a response to prison issues in general came in the form of the Deosaran Committee, and that committee made certain recommendations. Again, I know it would be said, well, why did you all not do it. Well, the special provisions committee proposals for

Implementation of Security Measures  
(Re: Prison Officers)  
Sen. Lutchmedial (cont'd)

2021.12.15

early urgently needed action was presented to this House in 2013, less than two years before the People's Partnership demitted office. And I am really not here to have the typical debate on who did what, who did more, who should have and could have and would have and so on, but I am simply saying that we need to give some serious consideration to some of these recommendations, because the issue of prison officers safety was critical and frontally addressed in this report.

Now, for the past six years let us look at how much has been done. Upon assuming office in his first budget statement it was said that:

An efficient and legitimate foundation of crime prevention, law enforcement and reduction of repeat offenders would be provided. Prison management would be strengthened with a focus on prison officers' safety.

It is common knowledge that contraband—that is the quote from the budget statement, but I am saying, it is common knowledge that contraband for trade facilitated by few rotten apples in the prison service is a fundamental problem that prompts and fuels the proliferation of gangs and conflict between prisoners and prison officers who are attempting to uphold the law. And it is also known that the use of cell phones within the prison is a perennial problem. We have all seen videos recorded and disseminated from within the prison walls. I think that they get better reception in the prison than some areas outside of the prison. So it is a major threat to the security of prison officers when prisoners can communicate unsupervised with the outside world, and when access to cell phones is a contentious matter that fuels the rift between prison officers and prisoners.

In 2016, I found a newspaper report that said millions had been spent—and they did not give the exact figure, they refused to when asked by the media. But it said that:

**UNREVISED**

Implementation of Security Measures  
(Re: Prison Officers)  
Sen. Lutchmedial (cont'd)

2021.12.15

Millions were spent on an inmate calling solution system—and the commissioner at the time, Mr. Stewart, said—that with the implementation of scanners and jammers the inmates could no longer contact the outside world by means of illegal cell phones.

This is in 2016. But in July of this year, it is reported that a search carried out in the cells revealed cell phones, cigarettes and marijuana being found. In 2019, then Commissioner Wilson stated that bags were being thrown over the prison walls and collected by inmates who worked in the garden area. Again, in June of this year it was reported that the special operations team got a tip off and they were able to find a cache of arms—that is how it was described—a cache of arms, ammunitions and explosives in the prison garden, where some of the lowest inmates are allowed to spend time. So, between 2019 and 2021 the situation of arms and other illegal contraband entering the prisons and making its way into the prisons via the garden has not been addressed.

There was an enquiry into the status of the investigation to the Port of Spain prison break conducted by a Joint Select Committee of this Parliament in the Eleventh Parliament, sorry, and that report recommended that the Ministry of National Security give immediate attention to the recommendations of the commissioner of prisons.

One of the things noted by that committee was in fact that 80 per cent—this is based on evidence given—of the prison was not outfitted with audio surveillance; areas used by prison officers for the purpose of interviews were not equipped with sufficient technology to record conversations between inmates and other officers, and nor were they monitored by surveillance cameras. One officer gave evidence that cameras in the aerial yard, cell blocks and other main gates of

Implementation of Security Measures  
(Re: Prison Officers)  
Sen. Lutchmedial (cont'd)

2021.12.15

the Maximum Security Prisons were not functioning. The committee went on to recommend the creation of a prison intelligence unit which could utilize the data and intelligence collected through a proper network of CCTV cameras, and this could address issues which continue to plague the prison system. But in March of this year testifying again before a joint select committee on a public hearing, the present commissioner testified that there was delay in repairing the existing CCTV camera system in the prison due to COVID-19.

Now, Madam President, we must ask the question, who is guarding the guards? If cell phones and contrabands are getting into the prisons, why is that still happening? Why with the scanners and jammers are they not performing optimally to prevent this from happening? Is it wise to house all high-risk inmates in one prison? And why is there no inspector of prisons still to date to address legitimate concerns raised, because this office, recognized by statute, is created so that they can create an avenue to address issues rather than violence erupting between prisoners and prison officers?

In closing, Madam President, there are many other suggestions that I would like to make, of course I am limited in time, but the prioritization of FUL applications, if we ever have a properly appointed Commissioner of Police, is something the Government needs to take into account as well as the use of K9 units so that they can detect contraband in the prisons and at least limit or minimize the incidents of violence within our prison walls. Thank you, Madam President.

**Hon. Senators:** [*Desk thumping*]

**The Minister of National Security (Hon. Fitzgerald Hinds):** Thank you very much, Madam President. Madam President, for many years threats have been made against law enforcement personnel. This has intensified over the past 10 to 15

Implementation of Security Measures  
(Re: Prison Officers)  
Hon. F. Hinds (cont'd)

2021.12.15

years. Unfortunately, some of these threats have resulted in very serious harm, and frequently, too frequently, death upon some of our officers, including, of course, prison officers, which is the subject of the discussion here today.

Recent media reports suggest an alleged pledge to kill even more prison officers. This is not new. Our officers have suffered and their families have suffered severely from the carrying out of some of these threats. These reports came in the wake of the cold blooded and recent killing of two of the nation's prison officers. Our heartfelt condolences continue to go out to the families and the friends of both these officers. These attacks on our law enforcement officers go against the very fabric of our society, and is a serious threat to our democracy, a threat to the rule of law, and therefore should be denounced by all law-abiding and right-thinking citizens. The Ministry of National Security and by extension the Government of Trinidad and Tobago is committed to the protection of all of our officers. In this regard, threats and/or attacks against law enforcement personnel are taken and dealt with very decisively, very seriously. A threat against a law enforcement officer is a threat against law enforcement.

Madam President, you will recall we passed Act No. 25 of 2019 which was a law to treat with some of these events very severely, albeit, of course, within the context of the law and within the context of the constitutionality that we must respect. The advantage that the criminals have is that they are free to operate, and they do operate outside of the law, and they have the element of surprise 24 hours a day, and that remains an advantage to those who are criminally minded. Section 11 of the said Act, Act No. 25 of 2019, deals specifically with retaliatory action against prison officers, and it spells out very serious consequences. Up to \$250,000 on summary conviction and \$500,000 upon conviction and indictment for some of

**UNREVISED**

Implementation of Security Measures  
(Re: Prison Officers)  
Hon. F. Hinds (cont'd)

2021.12.15

the offences identified in section 11 of that Act, where there is any retaliatory action against a prison officer or any of his relatives, and the relatives are categorized in plain language in the law. In other words, we came to the Parliament and passed law in recognition of these issues. It is now for the police and others to enforce these laws, and I am satisfied that that is being executed.

This is not a merely—a prison service issue. This is a national security issue. And the State does not and will not take this type of intimidation lightly. Our law enforcement officers should not be made to cower or to be afraid to perform their lawful duties for which they are paid and sworn to protect all of us. Currently, the murders of the two prison officers very recently are being investigated by the police homicide bureau of investigations. This is an ongoing police investigation, and I could say very little more about it, except that I am satisfied from my recent briefings by the police. They have informed me that they making swift and significant progress in getting to the bottom of those two offences. Prison officers and the public can rest assured that the full range of national security agencies and resources are dedicated to this and similar efforts, and that no effort would be spared.

Some of the countermeasures that we have put in place, Madam President, has to do with increased cross-border and cross-agency collaboration between all arms of national security. The prison service has continued to strengthen and deepen its working and operational relationships with the police service and the defence force. In particular, once a threat is made against an officer the TTPS is immediately contacted, after which they take the appropriate action. The leadership of the police service is very, very supportive from my observations and knowledge, and the current de facto head of the police services has signalled that the entire

Implementation of Security Measures  
(Re: Prison Officers)  
Hon. F. Hinds (cont'd)

2021.12.15

police service has taken up these challenges very seriously. The Prison Interdiction Unit was established to address the issue of trafficking by prison officers, because it has now become very clear to us that that kind of conducts fuels, encourages some of the actions against prison officers, and this is well-known to all of us. This Interdiction Unit allows on the authority of the commissioner of prisons for certain officers to search any and every officer, including officers of any rank as they enter the prison complex or the prison stations.

Madam President, within the last 33 years, sorry, three years, 33 active prison officers have been detained for trying to treat with contraband, to take contraband into the prison. This too was addressed in great detail with severe penalties in Act No. 25 of 2019. Madam President, it may be surprising to some, but the business of drugs and alcohol and cigarettes and phone and communication system and gadgets to support them is extremely big, big business in the prison. There are reports of people conducting their affairs in there and making a tremendous amount of money on the outside, including with the use of these devices, extortion on citizens and businesses out here.

**6.00 p.m.**

A Threat Assessment Committee was also set up and this Unit is headed by a Deputy Commissioner Operations. Once a threat is reported to the Unit the officer in question is interviewed and an investigation is immediately launched to determine the authenticity of the claim. And once it is satisfied that a threat exists the officer is especially equipped and armed to protect himself, and other systems to protect him and his family are also put in place.

Senators would recall there was a third attack within recent times but that officer, trained and prepared was able to respond, men were shot, the attackers

Implementation of Security Measures  
(Re: Prison Officers)  
Hon. F. Hinds (cont'd)

2021.12.15

were shot and one at least was arrested, action is being taken. As well, a Strategic Operations Unit has been formed in the prison service, trained by members of the Special Forces of the Defence Force and preparing them to be able to respond with great force when and if the circumstances provide for same.

We have also provided officers with a range of training in tactical skills to prepare them to address potential threats, increase safety awareness of law enforcement officers, trained in techniques designed to avoid assaults, self-defence, violence, the escalation techniques, the use of less lethal munitions like rubber bullets, tear gas, batons and shields and target hardening via the use of simulator training and the use of and retention of firearms.

In addition to those, Madam President, we make representations for officers at the HDC. Some officers find themselves having been born and grew in very difficult circumstances we try to assist them to make adjustments in that regard. The development of infrastructure in the nation's prisons, CCTV cameras, appropriate perimeter fencing, lighting and in an effort to promote safety and security, Madam President. As for the scanners and jammers they are operational but it is a battle of technologies and that battle continues. We have issued officers with stab vests and all together going forward the Ministry of National Security commits to ensuring that rogue officers who bring contraband and encourage this thing are charged, arrested and dismissed from the service, fast tracking of firearm users licences for prison officers where appropriate and fast tracking of matters involving prison officers.

The State, as I conclude, the State counts prison officers among some of the hardest working and in the most risky environment, men and women in this country. They do yeoman's service on a daily basis, interfacing directly with some



Implementation of Security Measures  
 (Re: Prison Officers)  
 Hon. F. Hinds (cont'd)

2021.12.15

of the criminals who shoot and murder and kill themselves into jail and want to shoot and murder and kill themselves out of jail as well. We will have none of it. These officers deserve the respect of every citizen and the Government of Trinidad and Tobago, in conclusion, will continue to do everything in our power to protect them and to ensure the safety of the officers and their families. Madam President, I thank you.

**Hon. Senators:** [*Desk thumping*]

**Madam President:** Sen. Mark.

**Sen. The Hon. Gopee-Scoon:** Madam President, I crave your indulgence with regard to this second Motion on the Adjournment. I have been reliably advised that this particular matter, which is the matter of the by-election in the Debe South electoral district, that this particular matter is before the courts and therefore being sub judice the Government will not respond to this Motion.

**Madam President:** Sen. Mark.

**Sen. W. Mark:** Madam President, as you are aware, as a Presiding Officer, this matter is before a Judge and not a jury. And as you fully understand and appreciate if a matter is before a jury then the injury as it relates to sub judice is applicable. But this is a matter, Madam President, that is outstanding—

**Madam President:** Yes, Sen. Mark, I have heard you and Standing Order 47 sets out certain principles and if this matter is before the court, you seem to be saying that it is, I will say that out of an abundance of caution we should not be proceeding with this matter now. Okay?

I now invite Members to bring Christmas greetings.

### Christmas Greetings

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

Thank you very much, Madam President, and indeed I am privileged to bring greetings on behalf of the Government Bench to extend Merry Christmas greetings to the population and to those of us in this honourable place. Many would cite Christmas, Madam President, as the most wonderful time of the year and for Christians its quite possibly the most important event on the Christian calendar. For us and as a seasoned Catholic it is a season of advent and if you were to walk into a Catholic Church at this time you would see three candles lit symbolizing that we are in the preparation for Christmas. And those candles are meant to signify hope, joy, love and the fourth candle would indeed be lit on this weekend before the celebration of Christmas.

As we move closer to the time of the celebration, Madam President, it is very important that we commiserate with many of those who would have lost their loved ones during this year on account, and even in 2020, on the account of the COVID period and who may have suffered pain in every which way. Our thoughts, our prayers are with them and we would wish them good memories at this time.

Madam President, Trinidadians love merriment and particularly at this time and it is a word of caution to everyone, that we operate moderately and we remain shining examples for our children at this time. Replace alcohol shots with vaccines shots and do, do please follow the protocols.

I extend, Madam President, from our Bench to the Opposition Bench and to the Bench of the Independents, to all of the parliamentary staff and to you, Madam President, hope, joy, love and peace at Christmas and well into 2022. Thank you.

**Hon. Senators:** [*Desk thumping*]

**Madam President:** Sen. John.

**Hon. Senators:** [*Desk thumping*]

**Sen. Jearlean John:** Madam President, we once again, we cannot celebrate in the manner that we used to when we said, we claimed, “Trini Christmas is the best”. The COVID-19 pandemic has reshaped how we do a lot of things. In fact, we can use the upcoming holidays as a genuine opportunity to tell our friends and families how much we care and miss them. This year has taught us many lessons and I hope and pray that we emerge from it a stronger and more hopeful people.

Madam President, the pandemic has shown us the value of being each other’s keeper and how together we can make a difference. On behalf of the Opposition, the United National Congress, I wish you, Madam President, your family, all of our Senatorial colleagues, the staff of the Parliament and their families, a responsible, safe and healthy Christmas and a really prosperous and optimistic 2022. Thank you.

**Hon. Senators:** [*Desk thumping*]

**Madam President:** Sen. Thompson--Ahye.

**Sen. Hazel Thompson-Ahye:** 2021, the worst of times.

With apologies to Charles Dickens, it was not the best of times.

Really, it was the worst and we should have seen the signs.

2021 was an all-time low.

It was our annus horribilis as insults did freely flow.

Passions inflamed, disappointment cannot excuse, clear and time warn rules being subject to abuse.

Independent Senators really work assiduously.

De La Bastide’s call for researchers for us, we are yet to see.

Singing for our supper is such an inane cry,

As many lose much income and yet we do not sigh.

We are committed to serve our country to the best of our ability,

Christmas Greetings (cont'd)  
Sen. H. Thompson-Ahye (cont'd)

2021.12.15

By making laws that can stand up to all and sundry's scrutiny.

Partisan interest every one of us is true,

The record will show that that is really true.

**Madam President:** Sen. Nakhid, please.

**Sen. H. Thompson-Ahye:** As we leave 2021 behind like a bad dream,

We hope 2022 will bring wisdom and mean,

That we can make an effort to work together in an atmosphere of love and caring  
for our country and one another.

Just as cross-examination does not mean to examine crossly,

Debating Bills does not mean we have to be to each other nasty.

In this season of peace and goodwill to all men and women too, let us agree to  
henceforth show respect for our women be they higher or below you.

From our wombs we brought you forth, at our knees your earliest lessons were  
taught,

God so loved us that through our blessed mother his son he sent to bring peace and  
love to save us even in this Parliament.

We pray God's protection from COVID for us, our nation and all our families and  
his continued blessings on all our parliamentary colleagues.

On behalf of this Independent Bench I wish you all a Merry Christmas and a  
Happy New Year.

Let us approach 2022 with faith, hope, love, mutual respect and without fear.  
"Ahyeee."

**Hon. Senators:** [*Desk thumping*]

**Madam President:** Hon Senators, delivering Christmas greetings this year is as  
difficult a balancing act as it was last year. One continues to struggle to find the  
right balance between conveying the joy and the festivity of the occasion on the

one hand while remaining mindful on the other hand of the distressing devastation and dislocation that the COVID-19 pandemic continues to cause to so many lives and to so many livelihoods. The arrival in our country of the much feared latest variant almost tips the scale towards one yielding to despair at our nations circumstances at this time, almost but not quite.

Because hon. Senators, Christmas remains at its core a season of hope. For Christians that hope arises from the birth of a Saviour from the birth of a heavenly king. This year and at this time we are all, Christians and non-Christians alike encouraged by the spirit of the season to hope in better things to come. And so let us all do just that. Let us hope for and let us believe in a better next year. I am convinced that if we yield to hope rather than give in to despair and if we reflect on and believe in the Christmas messages of hope, reconciliation, forgiveness and peace, the year ahead of us will be better than the year that is behind us.

And so to hon. Senators and your families, in this Christmas spirit of hope I pray that this Christmas finds you all in good health and that it brings joy and well-being into all of your homes. To our dedicated and hardworking staff and their families and in this same Christmas spirit of hope, I pray that God's riches blessings will be upon you and will enfold you this Christmas season and always. And to all of Trinidad and Tobago, I say Merry Christmas and a Happy New Year.

**Hon. Senators:** [*Desk thumping*]

*Question put and agreed to.*

*Senate adjourned accordingly.*

*Adjourned at 6.12 p.m.*