HOUSE OF REPRESENTATIVES
Friday, June 03, 2022
The House met at 1.30 p.m.

PRAYERS
[MADAM SPEAKER in the Chair]

LEAVE OF ABSENCE

Madam Speaker: Hon. Members, I have received communication from Ms. Anita Haynes, MP, Member for Tabaquite and Mr. Davendranath Tancoo, MP, Member for Oropouche West, who have requested leave of absence from today’s sitting of the House. The leave which the Members seek is granted.

PAPERS LAID

1. Land Acquisition (Requisition) Order, 2022. [The Minister of Housing and Urban Development (Hon. Camille Robinson-Regis)]
3. Value Added Tax (Amendment to Schedule 2) Order, 2022. [Hon. C. Robinson-Regis]

URGENT QUESTIONS

Remaining Liquid Fuels Subsidy
(Government’s Intention to Remove)

Madam Speaker: Member for Pointe-a-Pierre.

Mr. David Lee (Pointe-a-Pierre): Thank you, Madam Speaker. To the Minister of Energy and Energy Industries: Given the recent statements of the Prime Minister at
this week’s Energy Conference that “Trinidad and Tobago may move to fully liberalize the fuel markets”, will the Minister state if it is the intention of the Government to fully remove the remaining subsidy on liquid fuels at the pump?

**Madam Speaker:** The Minister of Energy and Energy Industries.

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

**The Minister of Energy and Energy Industries (Hon. Stuart Young):** Thank you very much, Madam Speaker. Madam Speaker, it is in House months ago, as well as the other place, the Government passed the necessary legislation for the liberalization of fuel. Since then, many Members on this side, the Prime Minister, the Minister of Finance, and myself, have been speaking to the population about the cost of fuel for Trinidad and Tobago. Recently, as we all know, a decision was taken by the Government with respect to the sharing of the cost, the burden of this between the Government, the taxpayers, and the population by splitting the amount of the subsidy.

So to say whether it is the intention of the Government to remove the fuel subsidy, Government spoke about that ages ago. The Government’s position has not changed, and what the hon. Prime Minister was speaking about this week is that with the rising cost of fuel it continues to be something that is under consideration. As to whether it would come tomorrow, it would come two months from now or whenever, the population will be told. But at this stage, to try and create this atmosphere or this conversation that the Government has not articulated very clearly with the passage of legislation and thereafter, that there may be a need in the future for the full liberalization of fuel is simply mischievous.

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

**Madam Speaker:** Member for Pointe-a-Pierre.

**Mr. Lee:** A follow-up question, Minister. Minister, based on the present fuel
subsidy—was based on approximately a price of $95 a barrel, today is about $116 a barrel, could you state if, given the increase of the oil, if we will be seeing price increases at the pump based on your $116 a barrel?

Madam Speaker: Member, I would not allow that as a supplemental question having regard to the question asked originally and the response given by the Minister.

Termination Notices to TSTT Employees
(Investigation of Issuance)

Madam Speaker: Member for Oropouche East.

Hon. Members: [Desk thumping]

Dr. Roodal Moonilal (Oropouche East): To the Minister of Labour: Will the Minister inform this House whether an investigation was launched concerning the contravention of section 18 of the Retrenchment and Severance Benefits Act, Chap. 88:13 by TSTT through the issuance of termination notices to 468 employees?

Madam Speaker: Minister of Labour.

Hon. Members: [Desk thumping]

The Minister of Labour (Hon. Stephen Mc Clashie): Thank you Madam Speaker. Section 18 of the Retrenchment and Severance Benefits Act, 88:13, and the retrenchment Act, as a whole, does not confer investigated powers upon the Minister. The Minister of Labour is a neutral third party, and in the event of a breach or alleged breach the recognized majority union/association will report such breaches to the Minister of Labour, pursuant to the provisions of section 51(1) of the Industrial Relation Act, Chap. 88.01, where the Minister, through his specialist staff, will bring the parties together for conciliatory talks with the view of seeking an amicable resolution. So we do not have any power in this matter. Madam
Speaker.

Watercourses in Flood Prone Areas
(Cleaning and Desilting of)

Madam Speaker: Member for Couva North.

Mr. Ravi Ratiram (Couva North): Thank you most kindly, Madam Speaker. To the hon. Minister of Works and Transport: In light of the current weather system, will the Minister advise the House whether all watercourses in flood prone areas have been cleaned and desilted to mitigate flooding?

Madam Speaker: Minister of Works and Transport.

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): Thank you, Madam Speaker. Madam Speaker, the Drainage Division has ensured that the major watercourse under the purview of the Ministry of Works and Transport were addressed under our annual desilting programme. This programme is broken down into the following categories:

- Phase 1: Most critical. These projects have been completed;
- Phase 2: Critical. Projects identified under this category have also been completed;
- Phase 3 and Phase 4: These projects are ongoing.

It is noteworthy that under the desilting programme a total of 396 projects have been identified for this fiscal year; 218 projects have been completed, and a further 187 projects are projected to be completed with the additional funding being allocated.

At this time, the Drainage Division has also ensured that all pump sites are equipped with functioning pumps, both mobile and stationary. In areas of ongoing work, there are mobile pumps station in the event major rainfall events. At the time of this response there were no reports of riverine flooding or overtopping.
However, the Ministry has noted areas of street flooding due to the high intensity rainfall which occurred between the 2\textsuperscript{nd} of June and the 3\textsuperscript{rd} of June, 2022.

I thank you.

**Madam Speaker:** Member for Couva North.

**Mr. Ratiram:** Thank you hon. Minister for your response. Minister, we are well into the rainy season at this time and you have indicated in your response that there are several—

**Madam Speaker:** Member, ask a question.

**Mr. Ratiram:** Minister, can you advise the outstanding works in cleaning of those watercourses; when is your projected completion date to have those watercourse complete cleaning?

**Madam Speaker:** Minister.

**Sen. The Hon. R. Sinanan:** Thank you. Madam Speaker, the history of the Ministry of Works and Transport, the history of the Drainage Division, is that during the financial year a programme of [Inaudible] that has to be completed, and that is why the programme is broken down into four categories with the most critical, the critical, and so on. The programme will be completed within the financial year and it is programmed in such a way that the areas that would have been cleaned in phase one, once you the have downpours like the beginning of the rainy season—will also be revisited in the third and fourth phase. So the Ministry is on track with the programme and it will be completed within the financial year.

**Madam Speaker:** Member for Couva North.

**Mr. Ratiram:** Thank you very much, hon. Minister. Minister, the constituency of Couva North is on the western side of Trinidad and Tobago exiting into the Gulf. Can you say to us if all major watercourses passing through the constituency of Couva North exiting to the Gulf has been cleaned all the way to the sea?
Sen. The Hon. R. Sinanan: Madam Speaker, it is important that the Member understands the Ministry does not work by constituency.

Hon. Members: [Desk thumping]

Sen. The Hon. R. Sinanan: The Ministry works by east, the north, the south and central, and the Ministry would have had adequate work programmes for all the different areas. We do not work by constituency, so I cannot answer you by constituency. Thank you.

Hon. Members: [Desk thumping]

ANSWERS TO QUESTIONS

Madam Speaker: Leader of the House.

The Minister of Housing and Urban Development (Hon. Camille Robinson-Regis): Thank you very kindly, Madam Speaker. Madam Speaker, there are seven questions for oral answer and we will answering all seven. There is one question for written answer and we will answer that also.

WRITTEN ANSWER TO QUESTION

Rented Buildings and Office Spaces
(Details of)

146. Mr. Saddam Hosein (Barataria/San Juan) asked the hon. Minister of Public Administration:

With respect to the buildings and office spaces rented by the State during the period September 2015 to February 2022, will the Minister provide the following:

(a) the buildings and addresses of the buildings and office spaces that were/are being rented;

(b) the names of the owners of the buildings or office spaces;

UNREVISED
(c) the purpose for which the buildings or office spaces were/are being rented;
(d) the cost per month to rent each building or office space;
(e) the date on which each lease agreement was entered into; and
(f) the period of each lease agreement?

Answer lodged in the Parliament Library.

**ORAL ANSWERS TO QUESTIONS**

**Positive COVID-19 Cases at Schools**
**(Implementation of Regular Testing)**

186. **Mr. Rodney Charles** *(Naparima)* asked the hon. Minister of Education:

Given the number of schools with positive COVID-19 cases, will the Minister state whether steps will be taken to implement regular testing protocols for students, teachers and support staff?

**Madam Speaker:** Minister of Education.

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

**The Minister of Education (Hon. Dr. Nyan Gadsby-Dolly):** Thank you, Madam Speaker. Madam Speaker, the Ministry of Education takes its responsibility for the health and safety of students and staff very seriously during this pandemic. It views school health and safety as a primary concern and continues to do so by taking all necessary steps to reduce the potential spread of COVID-19 in the nation’s schools.

It goes without saying that the reopening of schools to full capacity on April 19th, 2022 required the Ministries of Health and Education to closely monitor the number of positive COVID-19 cases being reported by schools. Accordingly, the Ministry of Education, through the Education District Health Service Unit, has been diligent in tracking persons in the school system who have been identified as
positive cases. The EDHSU also monitors schools’ adherence to the established safety protocols and takes the necessary actions required to mitigate any risk factors.

Accordingly, consistent with its responsibility to students, teachers and other support staff within the school environment, the Education District Health Service Unit of the Ministry of Education collaborates with the Ministry of Health to reduce lag time for test results which will facilitate swift COVID-19 management decisions, and mitigate the transmission of the COVID-19 infection throughout the schools.

The Education District Health Unit has made the following a priority:

1. Screening and referral to local health facilities of all students and staff for testing who display or report flu-like symptoms, or those who have been identified as close contacts of persons who have contracted COVID-19;
2. Reinforcing adherence to protocols such as staying home if unwell, seeking medical care and getting tested; and
3. Training of school administration in COVID-19 management procedures. The most recent training covered over 500 school administrators.

To further ensure the safety of the students, teachers and support staff, the Ministry will continue to adhere to and reinforce the relevant quarantine or isolation order guidelines issued to school personnel by the Ministry of Health. Finally, it should be noted that the Education District Health Service Unit will continue to be the liaison between the Ministry of Education and the Ministry of Health to ensure that test results for students, teachers and support staff are received in the shortest time frame possible.
Hon. Members: [Desk thumping]

Madam Speaker: Member for Naparima.

Mr. Charles: Could the Minister state how many tests have been conducted during the current term for students, teachers and support staff in the education system?

Madam Speaker: Minister.

Hon. Dr. N Gadsby-Dolly: Thank you, Madam Speaker. Madam Speaker, that information is not with me at this time.

Shooting Death of Police Constable
(Completion of Ballistics Tests)

187. Mr. Rodney Charles (Naparima) asked the hon. Minister of National Security:

With regard to the shooting death of Police Constable Clarence Gilkes, will the Minister advise whether ballistics tests have been completed?

Madam Speaker: Minister of National Security.

Hon. Members: [Desk thumping]

The Minister of National Security (Hon. Fitzgerald Hinds): Thank you very much, Madam Speaker. Madam Speaker, the ballistics tests in question were completed by the Trinidad and Tobago Forensic Science Centre, and the results submitted to the Trinidad and Tobago Police Service on April the 22nd, 2022. However, this matter remains under active investigation by the Trinidad and Tobago Police Service, and until the investigation is completed it would be quite improper for me to make any further commentary upon it.

Thank you very much, Madam Speaker.

Madam Speaker: Member for Naparima.

Mr. Charles: Thank you. Is the Minister prepared to say whether, on the results of the ballistics tests, which gun from which police officer killed Officer Gilkes?

UNREVISED
Madam Speaker: Member, having regard to the question asked and response given, I cannot allow that question. Member for Naparima.

**Acquisition of Spyware - TTPS**
**(Details of)**

188. **Mr. Rodney Charles**  (*Naparima*) asked the hon. Minister of National Security:

With regard to the acquisition of Spyware by the TTPS will the Minister provide:

(a) the name of the spyware acquired;

(b) the company which supplied the spyware; and

(c) the cost for acquisition of same?

Madam Speaker: Minister of National Security.

**The Minister of National Security (Hon. Fitzgerald Hinds):** Thank you very much, Madam Speaker. The Interception of Communications Act, Chap. 15:08 permits the lawful interception of communications to treat with crimes and criminality. It does not countenance the concepts of spying or spyware. This inappropriate terminology that is being promoted by the Opposition connotes an aura of illegality and is rejected as being completely improper, since this misleading language is clearly intended to create doubt and mistrust.

The reality is that Trinidad and Tobago’s Police Service acquired interception of communications technology for its use in compliance with the Interception of Communications Act, which has since been transferred to the Strategic Services Agency as a matter of Government’s policy. Further, the Opposition, having been in Government before, must know that it would be detrimental and injurious to the interests of national security to publicly disclose the name and supplier of this technology.

**UNREVISED**
In respect of part (c) of this question, the cost of the interception of communication technology was approximately $4 million and covers a four-year lease of equipment with support services.

I thank you, Madam Speaker.

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

**Madam Speaker:** Member for Naparima.

**Mr. Charles:** Is the Minister aware that the *Trinidad Guardian* dated May 01, 2022 had a headline “TTPS forks out 28 million so far for spyware” and, therefore, the term—

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

**Mr. Charles:**—did not come from the Opposition.

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

**Mr. Charles:** Is he aware?

**Madam Speaker:** Member what you are asking the hon. Minister is—

**Mr. Charles:** Is he aware that—

**Madam Speaker:**—that it was referred to as spyware?

**Mr. Charles:** Sorry?

**Madam Speaker:** That there is a *Guardian* article referring to spyware?

**Mr. Charles:** And not by the Opposition as he—

**Madam Speaker:** No, no. that is not the question.

**Mr. Charles:** Is it by the Opposition—is he aware that the *Guardian* used that—

**Madam Speaker:** Stand up and phrase your question.

**Mr. Charles:** Is the Minister aware that it is the *Trinidad Guardian* and the media which used the terminology “spyware”?

**Madam Speaker:** Minister.

**Hon. F. Hinds:** Madam Speaker, put simply, anything that is misleading,
misguiding, worthless and wrong, I associate with the UNC.

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

**Madam Speaker:** Okay. So Member in terms of your response, I would you for some of those words in your response to be withdrawn.

**Hon. F. Hinds:** I withdraw the word “wutless”, Madam Speaker.

**Madam Speaker:** No, no, no, no, no. Okay? So some of those words I would like you to withdraw. I think maybe if you withdraw your answer, and I will allow to you answer that in a way that is considered parliamentary. Okay?

**Hon. F. Hinds:** Madam Speaker, let me put this in more saugue terms if I may?

**Madam Speaker:** So you withdraw your answer and—

**Hon. F. Hinds:** I withdraw all that I have said before. Madam Speaker, put more simply, anything that is misleading, wrong, and intended to create public mistrust and disquiet, I associate with the UNC and no one else.

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

**Madam Speaker:** Member for Naparima.

**Mr. Charles:** Is the Minister aware that using language like that is unbecoming of a House like this?

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

Public Procurement and Disposal of Public Property Act (Implementation of)

190. **Mr. David Lee** (Pointe-a-Pierre) on behalf of Mr. Davendranath Tancoo (Oropouche West) asked the hon. Minister of Finance:

As regards the Procurement Regulations which were passed in the House of Representatives on January 14, 2022 and in the Senate on February 8, 2022, will the Minister state:

**UNREVISIED**
Oral Answers to Questions

(a) the reasons for the delay in the implementation of the Regulations; and

(b) when will same be implemented?

Madam Speaker: Minister of Finance.

The Minister of Finance (Hon. Colm Imbert): Madam Speaker, as has already been disclosed in this House in response to a similar question, the Public Procurement and Disposal of Public Property Act is currently being reviewed by the recently appointed Attorney General prior to its full implementation. Accordingly, the time frame for implementation will be determined by the outcome of this review exercise by the Attorney General.

Firearms Amendment Act (2021) (Implementation of)

191. Mr. David Lee (Pointe-a-Pierre) on behalf of Mr. Davendranath Tancoo (Oropouche West) asked the hon. Minister of National Security:

With regard to the Firearms Amendment Act (2021), which was assented to on July 6, 2021, will the Minister state:

(a) the reasons for the delay in the implementation of the Act; and

(b) when will same be implemented?

Madam Speaker: The Minister of National Security.

The Minister of National Security (Hon. Fitzgerald Hinds): Thank you very warmly yet again, Madam Speaker. Madam Speaker, the full operationalization of the Firearms Amendment Act, 2021, to facilitate the granting of applications for permits for the use of pepper spray was delayed due to the temporary suspension of the operations of the Firearms Permit Unit of the Trinidad and Tobago Police Service.

However, I am advised by the Trinidad and Tobago Police Service that
applications for permits for the use of pepper spray will be processed during this month, June 2022, and as such, it is expected that the Act will be fully implemented in July 2022. Thank you.

**Intake of Children - 2020/2021 and 2021/2022**
(Couva Interdisciplinary Child Development Centre)

Mr. David Lee (Pointe-a-Pierre) on behalf of Mr. Rudranath Indarsingh (Couva South) asked the hon. Minister of Education:

Will the Minister state whether there has been any new intake of children at the Couva Interdisciplinary Child Development Centre for the academic years 2020/2021 and 2021/2022?

Madam Speaker: I believe this question has been redirected to the Minister of Social Development and Family Services. So the Minister of Social Development and Family Services.

The Minister of Housing and Urban Development (Hon. Camille Robinson-Regis): Thank you very kindly, Madam Speaker. On behalf of the Minister of Social Development and Family Services, there has been no new intake of children for nursery services at the Couva Inter-Disciplinary Child Development Centre since 2018, and no new intake of children for pre-school education there since 2019.

Further, as a result of the public health regulations associated with the Covid-19 pandemic, the centre was closed in 2020. During the period of closure, the Ministry of Social Development and Family Services closely examined the services provided, the impact and the cost associated with managing the centre in the context of the overall mandate of the Ministry.

The Ministry subsequently concluded that early childhood education and nursery services are far better addressed by the Ministry of Education and other relevant
Ministries, such as the Ministry of Health and other agencies and departments specifically designed to address the needs and care of children.

It should be noted that there were 19 children who were attached to the pre-school at the commencement of the pandemic in 2020. These children received hard-copied homework packages that were collected by their parents, returned and corrected by the teaching staff, who also provided feedback to their parents. In consultation with the teachers and management, these 19 children have all been placed in primary schools having reached the age of five.

It should also be noted that the nursery operations at this centre were suspended, and subsequently terminated in view of the need to review these operations in view of the impact of the proclamation of the package of children’s legislation. This left only the pre-school in operation. The centre remains closed at this time.

Thank you, Madam Speaker.

Madam Speaker: Member for Pointe-a-Pierre.

Mr. Lee: Thank you, Madam Speaker. Just a follow-up question. Minister, given that the centre is closed, what has become of the staff that manned the centre?

Madam Speaker: Minister.

Hon. C. Robinson-Regis: Madam Speaker, I do not have that information at this time.

Replacement of Termite Infested Furniture (Couva South Government Primary School)

196. Mr. David Lee (Pointe-a-Pierre) on behalf of Mr. Rudranath Indarsingh (Couva South) asked the hon. Minister of Education:

Will the Minister state when will the termite infested furniture at the Couva South Government Primary School be replaced?
Madam Speaker: Minister of Education.

The Minister of Education (Hon. Dr. Nyan Gadsby-Dolly): Thank you, Madam Speaker. Madam Speaker, for academic year 2021/2022, the Ministry of Education has delivered 18,290 pieces of furniture to 132 government and government-assisted secondary schools. Additional, the delivery of furniture is ongoing for another 130 government and government-assisted primary schools.

The Ministry is presently compiling a list of the furniture requirements of primary and secondary schools for the procurement of new furniture items and equipment for the 2022/2023 academic year, and funding for this project will be requested in the next fiscal year. Couva South Government Primary is one of the schools identified in this listing.

Hon. Members: [Desk thumping]

STATEMENTS BY MINISTERS

Madam Speaker: Leader of Government Business.

The Minister of Housing and Urban Development (Hon. Camille Robinson-Regis): Thank you very kindly, Madam Speaker. Madam Speaker, we did request the concurrence of the Members of the Opposition in order for the Prime Minister to make his statement to conclusion. However, we have failed to get that concurrence. As a consequence of that, Madam Speaker, I seek your leave in accordance with Standing Order 122(1) to move a Motion for the suspension of Standing Order 24(3) which provides the time limit for Statements by Ministers. Thank you.

Madam Speaker: Hon. Members, leave is granted. Leader of the House.

Hon. C. Robinson-Regis: Thank you very kindly, Madam Speaker. Madam Speaker, I therefore beg to move that Standing Order 24(3) be suspended to permit the Prime Minister to complete his statement.
Question put.

Ms. Ameen: Division.

Hon. Member: Division

Madam Speaker: All right. So Members, the vote is going to begin. So can we do this with the proper composure please?

The House divided: Ayes 21 Noes 11

AYES

Robinson-Regis, Hon. C.
Rowley, Hon. Dr. K.
Imbert, Hon. C.
Young, Hon. S.
Hinds, Hon. F.
Deyalsingh, Hon. T.
Al-Rawi, Hon. F.
Beckles, Hon. P.
Webster-Roy, Hon. A.
Cudjoe, Hon. S.
Gadsby-Dolly, Hon Dr. N.
Gonzales, Hon. M.
Mc Clashie, Hon. S.
Cummings, Hon. F.
Forde, E.
De Nobriga, Hon. S.
Leonce, Hon. A.
Manning, Hon. B.
Morris-Julian, Hon. L.
Hon. Members: [Desk thumping]

2.00 p.m.

CONSTRUTORA OAS LIMITED AND
THE SOLOMON HOCHOY HIGHWAY TO
POINT FORTIN

The Prime Minister (Hon. Dr. Keith Rowley): Thank you, Madam Speaker. And I would also like to thank hon. Members for the opportunity afforded me to make this statement.

Madam Speaker, I have been authorized by the Cabinet to make the following statement. It has become necessary, Madam Speaker, to put on the Parliament’s record the facts with respect to the pertinent issues surrounding the
contractual and other arrangements related to the extension of Solomon Hochoy Highway to Point Fortin by a Brazilian company called Construtora OAS commonly referred to as OAS.

Madam Speaker, as I do this, I bring to the attention of this honourable House a matter of great general public importance having regard to the preamble to our Constitution (b), (c), (d) and (e) and section 4(a), the due process of law.

I want to remind the House of the fundamental principles of good governance and respect for the adherence to due process and accountability, to be separated from the issue of the proper interpretation of the clauses of the OAS contract which the High Court is being asked to determine in the appeal from the arbitration award. Madam Speaker, this project is the single largest contract ever entered into by the State of Trinidad and Tobago; $5.2 billion. That alone, Madam Speaker, demands that the accurate undisputed facts are placed before the people of Trinidad and Tobago.

It is to be noted that this is the second ministerial statement that has been made in the Parliament by my Government with respect to events related to OAS and the Point Fortin Highway. The first was on April 1st, 2016. It was delivered by the hon. Member for Port of Spain North/St Ann’s West who, at the time, held the portfolio of Minister in the Ministry of Attorney General and Legal Affairs and Minister in the Office of the Prime Minister. Madam Speaker, it was in that ministerial statement that we alerted the population to what we had recently discovered as we dealt with OAS, who had, in late 2015 and into early 2016, basically stopped all works on the troubled highway project.

At that time, Madam Speaker, abandoned workers were protesting daily. Subcontractors were claiming hundreds of millions of dollars being owed to them by an absent OAS. Equipment was being seized. Most of the expatriate OAS staff
had left Trinidad and Tobago and no progress was being made by OAS on the highway construction. It was also at that time, and in these circumstances, Madam Speaker, that the Government had to intervene to pay desperate, disadvantaged and abandoned workers.

Madam Speaker, that April 1st, 2016 statement informed the population of an amendment to the OAS contract that we discovered, an amendment that was secretly executed by the UNC on Friday September 4th, 2015, the last working day before the September 7th, 2015 general election; 72 hours before the UNC was voted out of office. The amendment, Madam Speaker, an alteration to the contract, amongst other things removed a critical termination clause from the standard FIDIC Yellow Book contract under which the project was being executed. This removal of clause 15.2(e) is what has exposed the people of Trinidad and Tobago to a huge potential liability to OAS. What it effectively did, Madam Speaker, was effectively shift ownership and control of insurance bond money belonging to the Government away from the NIDCO and into the hands of the contractor.

Madam Speaker, there has been a recent decision delivered by a tribunal of arbitrators in London Court of International Arbitration, the LCIA, an arbitration matter between OAS and the National Infrastructure Development Company Limited, NIDCO. This arbitration surrounded the termination of OAS by NIDCO on July 6th, 2016. It is a fact, Madam Speaker, that the removal of that specific termination clause from the contract between NIDCO and OAS on Friday, September 4th, 2015 led to NIDCO’s loss of control and subsequently loss of the arbitration.

It is essential for me to provide a recap of certain matters for the population to appreciate how detrimental certain specific decisions which were taking place, and which had taken place leading up to the September 4th, 2015, how that has
been for us, the people of Trinidad and Tobago, and how on the other hand, the same generous decisions have consistently favoured OAS.

Madam Speaker, I refer to certain aspects of the previous ministerial statement delivered on April 1st, 2016 as it shows how consistent, we, the PNM, have been in our justified criticism of the decisions taken by the then UNC Government that favoured OAS at the expense of the people of Trinidad and Tobago. It is important to note, Madam Speaker, that prior to the actual contract being negotiated and awarded to OAS to construct the extension of the Solomon Hochoy Highway to Point Fortin, certain peculiar developments took place that ought to be of interest to the citizens of this country.

A few weeks after the UNC came into office and met this project on the table for award of a contract for continuation of construction, an interested group of known high-level Brazilian executives of OAS flew by Dassault private jet from Rio de Janeiro Brazil to Durban in South Africa in pursuance of the said contract. They then travelled by car to Johannesburg for the singular purpose of meeting a Member of the Cabinet of Trinidad and Tobago, a Minister responsible and involved in the decision on this project. This secret meeting between the UNC Minister responsible for the project and the OAS took place at the Michael Angelo Towers in Johannesburg during the FIFA World Cup in South Africa. No Member of the UNC Government or administration has ever acknowledged that this meeting took place nor has any one of them ever attempted to explain what was the purpose and outcome of this trans-Atlantic secret meeting on the eve of an award of this multi-billion dollar contract which was hurriedly wrapped up in Trinidad soon after the World Cup.

The process for the continuation of construction of this highway was initiated by a previous PNM Government, Madam Speaker, through the invitation
of tenders in early 2010. However, although tender submissions were received in April 2010, the contract was not awarded by the PNM Government prior to the May 24th, 2010 general election since the bids received were significantly higher than the engineer’s estimate of $3.68 billion.

However, Madam Speaker, on March 4th 2011, the then Government through NIDCO awarded a design-build contract to OAS for the sum of approximately $5.2 billion. This was $1.6 billion more than the engineer’s estimate. Madam Speaker, this was the first salvo against the taxpayers, the award of an inflated contract to OAS. This contract between NIDCO and OAS was governed, as I said, Madam Speaker, by *FIDIC Yellow Book*. One of the major benefits of using FIDIC terms and conditions is that these terms and conditions are standard and internationally recognized. It is accepted that a party should only, with very good exceptional reason, amend the standard terms and conditions of FIDIC.

However, Madam Speaker, despite this, the then UNC Government immediately changed the standard advance payment due to the contractor from 10 per cent of the contract value to 20 per cent of the contract value which resulted in OAS, at the onset, instead of receiving $428 million as the allowable mobilization advance, the company was facilitated with an inflated advance of approximately $856 million. Again, Madam Speaker, here was a decision taken that curiously favoured OAS and failed to protect the Trinidad and Tobago taxpayers.

Another major issue, Madam Speaker, was that all payments made to OAS for activities under the letter of intent which totalled $236.4 million should have been deducted from the advance payment. However, these sums were not deducted. So even before the construction began, the former government, who are now in the Opposition thankfully, loosely facilitated OAS with over $1 billion of taxpayers’ moneys.
Madam Speaker, another notable decision that was taken was that rather than utilizing low interest rate funding from a multi-lateral lending agency, such as the IDB for this multi-billion infrastructure project, the most expensive government infrastructure project ever undertaken in Trinidad and Tobago, the former government paid OAS and others via cash transfers from the Ministry of Finance up to 2014, putting a strain on the country’s available cash.

However, Madam Speaker, the benefit of this approach for the operators then was so that these curious excesses could have been engaged in without observation or objection from any overseeing multi-international lender such as the World Bank, the IDB or the European Union. After all of this, the fact is that OAS began to run into serious difficulties early in 2015. They wholesale defaulted on paying subcontractors and were late in paying workers. The writing was now on the proverbial wall. There began to be increasing reports of OAS having financial difficulties from early 2015 to March 2015.

On March 31st, 2015, OAS filed a petition for judicial reorganization in Brazil whereby OAS sought bankruptcy protection. This is where the unforgiveable removal of condition 15.2(e) should never have happened and should have been used to terminate OAS and thereby protect Trinidad and Tobago money under the bonds that were required to be in place under the contract, expressly for any such eventuality. Madam Speaker, on April 28th, 2015, in response to OAS informing Dr. Carson Charles of NIDCO that it had filed for judicial reorganization in Brazil, NIDCO wrote to OAS stating inter alia that, and I quote:

This action by OAS is sufficient for NIDCO as employer under the contract to exercise its rights under clause 15.2(e) of the conditions of contract to terminate the contract with immediate effect.

UNREVISED
Madam Speaker, I want to repeat that.

This action by OAS—
—-the action of filing for judicial protection under the bankruptcy clause of Brazil—
—-is sufficient for NIDCO as employer under the contract to exercise its rights under clause 15.2(e) of the conditions of the contract to terminate the contract with immediate effect.

NIDCO, on April 28th, 2015, having written that to OAS, acknowledged and informed OAS that it could terminate OAS using clause 15.2(e). Instead of doing that, Madam Speaker, we now know that NIDCO then mysteriously and secretly proceeded to remove the offending inconvenient clause.

So the question is, Madam Speaker: Why did NIDCO weaken its own position by removing a clause that it knew permitted it to easily terminate OAS? Why did NIDCO, during a period of March 2015 to September 4th, 2015, where OAS was obviously in serious financial difficulties, not terminate the contract? Madam Speaker, had NIDCO exercised this right, it would also have been able to immediately call upon all performance bonds and letters of credit without recourse by OAS.

Despite this position of in-built strength protected by the contract, the UNC Government, through NIDCO, did choose during the period of March to September 2015 to do the following:

1. Reduce OAS scope of works.
2. Keep the price of the contract firm, notwithstanding the reduction in the scope of works.
3. Remove clause 15.2(e) to allow the contractor to claim hundreds of millions of dollars of insurance money that was meant to protect the
taxpayers’ interest in the project, almost a billion dollars what should be taxpayers’ money.

Shockingly, Madam Speaker, once again, that government took action to favour the contractor to the detriment of Trinidad and Tobago.

By March 15—

Mr. Hosein: Madam Speaker, I just rise on Standing Order 48(2), under the rule of sub judice.

Hon. Members: [Crosstalk]

Mr. Hosein: Madam Speaker, by media release dated 31st of May, 2022, NIDCO indicated that this matter is before the court and the Prime Minister has indicated—

Hon. Members: [Interruption]

Madam Speaker: Member, member, member. I allowed the statement being made. This does not go into the substance of the matter.

Hon. Dr. K. Rowley: Thank you, Madam Speaker. Shockingly, Madam Speaker, once again, that Government took action—

Ms. Ameen: Madam Speaker, the Member is using obscene language towards the Opposition.

Hon. Members: [Crosstalk]

Mr. Charles: “Dey hear him.”

Ms. Ameen: “Do not pretend yuh did not hear him.”

Hon. Members: [Continuous crosstalk]

Madam Speaker: Members. Member for Laventille West, I will ask you to withdraw that word. And Member, what is the point that you are raising, what you are drawing to my attention?

Ms. Ameen: Sorry. 48(4).

Madam Speaker: Yes.
Ms. Ameen: The Member on the opposite side is using obscene language towards the Opposition.

Hon. Members: [Crosstalk]

Madam Speaker: All right so. Now in terms of the Member for Laventille West, I heard a particular word, which I would ask you to withdraw. Okay. That is separate and apart from what the Member for St. Augustine has raised, and I would ask all Members to be temperate in their language, one, to remember the provisions of the Standing Orders with respect to insulting language, offensive language and unparliamentary language. So Member for Laventille West, that word that I just heard, which is a word you should not really use with respect to each other, if you would just kindly withdraw that word.

Mr. Hinds: Madam Speaker, admitting that that was my reaction to the submission of the Member for St. Augustine which I took offence at because I heard no such thing, I used that word in description of the Member for St. Augustine and in deference to you, Madam Speaker, I withdraw.

Madam Speaker: Yes.

Hon. Members: [Desk thumping]

Madam Speaker: Okay, Prime Minister, please continue.

Hon. Members: [Desk thumping]

Hon. Members: [Continuous interruption]

Hon. Dr. K. Rowley: Madam Speaker, I will continue as soon as Members of this House are ready to conduct the public business.

Hon. Members: [Desk thumping]

Hon. Dr. K. Rowley: Madam Speaker, shockingly, once again, that Government took action to favour the contractor to the detriment of Trinidad and Tobago. By March 2015, the project was in dire difficulties and it would have been prudent for
the former Government to have pursued ways and means to terminate OAS to protect the public interest. Under FIDIC, there are various ways to terminate with varying degrees of complication and potential litigation. However, Madam Speaker, virtually all commercial contracts allow for automatic termination upon a party declaring bankruptcy or being under administration or judicial management or reorganization.

Under the FIDIC contract, the UNC could have, and should have, immediately invoked clause 15.2(e) and terminated OAS on the ground that it was subject to judicial reorganization. That is probably the simplest and least contentious form of termination under FIDIC, and OAS would not have been able to make any justifiable claim against the Government of Trinidad and Tobago or its agencies for wrongful termination in any arbitration. Nonetheless, Madam Speaker, the stage was deliberately set for this, to give the contractor a fighting chance knowing that no incoming Government could have sat on its hands, facing this stalled billion-dollar project and not move at some stage to terminate the contract in order to proceed to restart the project.

Madam Speaker, it is noteworthy that the arbitration tribunal stated as follows and I quote:

The tribunal is in no doubt that the act of judicial reorganization triggered one or more of the elements of clause 15.2(e).

Thereby confirming—unquote, sorry. Thereby confirming that this was a course of action open to the UNC Government as far as March 31st, 2015. However, Madam Speaker, it was on September 4th, 2015, the last working day before the general elections of September 7th, 2015, the UNC Government, having not used this opportunity to terminate the contract in a clean, cost-effective and non-contentious matter—manner—secretly entered into a written agreement with OAS called
Construtora OAS Limited

Contract Addendum No. 2, whereby the Government of Trinidad and Tobago, through NIDCO, gave up its right and ability to terminate the contract on the grounds of OAS being under judicial reorganization, a move that only favoured OAS. On September 4th, 2015, the UNC Government thus reaffirmed in writing their desire to keep a company that was under bankruptcy proceedings called judicial reorganization in Brazil as their preferred contractor for the Point Fortin Highway.

Despite the recent assertion of Dr. Carson Charles, the then CEO of NIDCO, that the removal of clause 15.2(e) was done on the advice of NIDCO’s engineer, I can tell you, Madam Speaker, no document has been found anywhere in NIDCO to support such a belated contention. No date, Madam Speaker, no document has been found providing any advice that clause 15.2(e) should have been removed. No such announcement has ever been made by any of the actors engaged in this travesty. It remained a well-kept secret until we eventually found out what they had done.

So, Madam Speaker, why was it removed by the then UNC Government? I ask the media, and in particularly the Trinidad Express newspaper editorial writer: Why has it not asked those responsible why did they bend over backwards to protect OAS on the Friday before a general election instead of asking this Government why we allowed NIDCO to terminate when termination was the obvious next step?

Hon. Members: [Desk thumping]

2.30 p.m.

Mr. Ratiram: Madam Speaker—

Hon. Dr. K. Rowley: Madam Speaker—

Mr. Ratiram: Madam Speaker, would the Prime Minister give way for
Hon. Members: Noooooooooo.

Hon. Dr. K. Rowley: You will be well advised when—[Inaudible].

Madam Speaker, we terminated to give ourselves, the people of Trinidad and Tobago, a fair chance to get back money that was taken from us by a corrupt act of public dishonesty.

Hon. Members: [Desk thumping]

Hon. Dr. K. Rowley: Madam Speaker, the indelible and undisputed question remains: What was the benefit to be gained by the people of Trinidad and Tobago by erasing a clause to protect us from bankruptcy or judicial management when dealing with a contractor which has gone bankrupt or who is under judicial management as some of our friends prefer to call it? Madam Speaker, the question remains: Why? Why the secrecy, especially coming from people who now, from the Opposition Benches, want total openness and instant public accounting and public reporting on any and all events, sometimes even before the events themselves occur?

Madam Speaker, I have raised this question for seven years and never once was there any spokesperson of the UNC administration who saw it fit to respond in any way. All we got was deathly silence. Yet, now we are hearing that it was a normal and wonderful act. Then if so, why was it done secretly, hours before you were on your way out? Who was the obvious beneficiary of that specific action, Madam Speaker, if not OAS? Why did NIDCO—and by NIDCO there I mean taxpayers. What did we have to gain by giving up what they had in law and by contract, to instead be fighting for it and winning in court, yet losing in an arbitration?

Madam Speaker, as I said before, NIDCO eventually terminated OAS on
July 06, 2016, 15 months after the bankruptcy protection clause was triggered. In this period, Madam Speaker, leading up to this termination, OAS had effectively and openly abandoned the project. It was selling off equipment. It had informed NIDCO that it was reducing its workforce. Workers were protesting for unpaid wages. Subcontractors were claiming hundreds of millions from OAS. Work was not taking place in any meaningful way. And OAS and NIDCO had substantial disagreements as to moneys being owed, delays and quality of work.

Madam Speaker, NIDCO terminated OAS based on the advice of the engineer of the project that OAS was unable to proceed with the works required by the contract. NIDCO immediately commenced drawing down the advance payment and performance securities in the total sum of US $139,572,877.62. It is irrefutable, Madam Speaker, that had clause 15.2(e) not been removed, the termination of OAS would have been clean and simple on the basis that OAS was subject to judicial management and reorganization.

The drawing down on the advance payment and performance securities was met with resistance by some of the institutions that had issued them and by OAS. NIDCO pursued these matters in courts in various jurisdictions, including England, and was successful by orders of the court, including the Supreme Court of England and Wales. The recovery of these securities by NIDCO was permitted and in some cases was the result of court orders. The court even directed that the money recovered in the interim must only be used to carry on the project. Therefore, Madam Speaker, to suggest that it was an imprudent course to drawdown on these securities is self-serving, grasping at straws and running errands for the contractor.

Hon. Members: [Desk thumping]

Hon. Dr. K. Rowley: Madam Speaker, the Government always warned publicly, on many occasions, that whilst it recovered these securities and was using the
money to continue the construction of the highway, there was the possibility that if OAS was successful in the arbitration, the sums gifted to them by the UNC may have to be repaid to OAS and the full extent of the curious action of amending the contract will come home to the people of Trinidad and Tobago. I myself, Madam Speaker, have frequently made the assertion quite clear on many public platforms. So, it should come as no surprise to anyone who troubled him or herself to pay attention to what was done to us by the UNC government.

Sadly, Madam Speaker, this has now come to pass and the people of this country are being made to give back the court-approved $852 million, which the contractor could only have laid claim to only because some person or persons in the last UNC administration took the perverted decision to amend a contract to once again favour a contractor at the expense of the public interest.

Madam Speaker, the arbitral tribunal ruled that NIDCO was wrong to terminate OAS and that it could not rely on clause 15.2(e), but this is being challenged by NIDCO via an application to the High Court of Trinidad and Tobago. Effectively, NIDCO is appealing the arbitration award.

In the meantime, Madam Speaker, given the facts and complexities as stated here today and for the last seven years, it is our view that there are some things the public needs to know:

1. What process, advice and documentation was it determined that the billion dollar contract must be amended to grant an $852 million waiver to OAS?
2. Who authorized the amendment of the contract?
3. What was the specific purpose and benefit to be had?
4. Who actually carried out the instructions?
5. What was the role of the Ministry of Works and Transport, the Board of NIDCO, the consultant and the management in effecting the amendment and
its consequential waiver?

It is against this background, Madam Speaker, that Cabinet has asked the Attorney General to examine and amend the terms of reference of the Sebastian Ventour enquiry, with a view to adding to that examination the specific concerns raised here today and find the answers to these troubling questions.

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

**Hon. Dr. K. Rowley:** In conclusion, Madam Speaker, the question still remains unanswered: Why clause 15.2(e) was removed by Contract Addendum No. 2, on the Friday before the general election of 2015. And to ask: Why did my Government terminate OAS knowing that clause 15.2(e) had been removed is to completely ignore the dire circumstances that existed with respect to a contractor that was not performing its obligations and that was in judicial reorganization and who is now to benefit from a secret deal engineered and executed by public officials who cheer at the contractors good fortune without a care for their own questionable conduct.

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

**Hon. Dr. K. Rowley:** It needs to be re-emphasized, Madam Speaker, that the money being taken back by the arbitration was not lost by the termination of the contract. It was given up by the loss of the clause that was removed.

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

**Hon. Dr. K. Rowley:** We had it but the UNC voluntarily gave it up to the contractor. This PNM Government tried to get it back. We succeeded for a while but now it appears that we might lose it permanently.

I maintain, Madam Speaker, that my Government has sought to protect the public’s interest in this matter and just as we fought and won the right to spend on the highway all the money we recovered from the bond ownership, we will take
additional steps to ensure that the San Fernando to Point Fortin highway is completed and the facts, disturbing as they might be, are made well known to all the people of Trinidad and Tobago.

Madam Speaker, I thank you.

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

**Madam Speaker:** Member for Oropouche East.

**Dr. Moonilal:** Thank you very much, Madam Speaker, pursuant to Standing Order 24(4). I will ask the Prime Minister: Prime Minister, in light of your announcement on the expansion of the terms of reference of the commission of enquiry, would you indicate whether or not you are concerned with who was the legal advisor that advised NIDCO to wrongfully terminate a contract with OAS—

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

**Dr. Moonilal:**—that led to a billion dollars lost and why is that legal advisor not hanging from a tree at Woodford Square?

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

**Madam Speaker:** Member for Oropouche East, that last part about the—

**Dr. Moonilal:** Yeah, I will withdraw the sentence.

**Madam Speaker:** Okay. So, stand up and withdraw that properly, please.

**Ms. Ameen:** [Inaudible]—held accountable.

**Dr. Moonilal:** I will phrase it: Why is that advisor not being held accountable for advising NIDCO to wrongfully terminate a contract?

**Hon. Members:** [Crosstalk]

**Hon. Member:** Withdraw.

**Madam Speaker:** Prime Minister.

**Hon. Dr. K. Rowley:** Madam Speaker, I spent the last how many minutes telling you, this House, and in particular, the Member for Oropouche East, that we are not
fighting the termination. We are fighting who removed the protection clause.

Hon. Members: [Desk thumping]

**NATIONAL INSURANCE (AMDT.) BILL, 2022**

Bill to amend the National Insurance Act, Chap. 32:01 to provide for the waiver of penalties and interest, to increase the penalty for the provision of false information, to increase the statutory limitation for the commencement of summary proceedings and other related matters [The Minister of Finance]; read the first time.

**BILLS OF EXCHANGE (AMDT.) BILL, 2022**

Bill to amend the Bills of Exchange Act, Chap. 82:31 [The Minister of Finance]; read the first time.

**INSURANCE (AMDT.) BILL, 2022**

Bill to amend the Insurance Act, 2018 [The Minister of Finance]; read the first time.

**IMMIGRATION (CARIBBEAN COMMUNITY SKILLED NATIONALS) (AMDT.) BILL, 2022**

Madam Speaker: The Minister of Foreign and Caricom Affairs.

Hon. Members: [Desk thumping]

Madam Speaker: Minister, you are reminded that your full time is 45 minutes.

Order for second reading read.

The Minister of Foreign and Caricom Affairs (Sen. The Hon. Dr. Amery Browne): Thank you, Madam Speaker. Madam Speaker, I beg to move:

That a Bill to amend the Immigration (Caribbean Community Skilled Nationals) Act, Chap. 18:03, be now read a second time.

Hon. Members: [Desk thumping]

Sen. The Hon. Dr. A. Browne: Madam Speaker, this afternoon it is my distinct honour and privilege to bring to the attention and consideration of this august
House the Immigration (Caribbean Community Skilled Nationals (Amendment) Bill, 2022, which was thoroughly examined and debated upon and successfully passed in the other place with a resounding 23 votes for, with 7 votes against and no abstentions on the 15th of March, 2022.

Madam Speaker, I am very pleased that in the other place all the Government Bench and every Independent Senator, bar one, were persuaded to take a bold and necessary step into the future in pursuit of Trinidad and Tobago’s long-awaited and obligatory compliance with decisions made by the Heads of Government of Caricom over the past 16 years under the Revised Treaty of Chaguaramas.

Hon. Members: [Desk thumping]

Sen. The Hon. Dr. A. Browne: Madam Speaker, I must confess that I was a bit disappointed by some of the minority reflections that have tried in vain to ferment and foment opposition to our obligations as they are enshrined in this particular Bill. Madam Speaker, some of the contributions of the UNC on this topic in general have been quite frankly disappointing. I would like to invite this honoured House of Representatives today to approach this debate very differently. We have an opportunity here today, all of us, all of us have an opportunity here today to find some common ground in the basic principles of regional integration.

Hon. Members: [Desk thumping]

Sen. The Hon. Dr. A. Browne: Let us draw strength, Madam Speaker, from the vision of the founding fathers of Caricom and it is my hope that every parliamentarian who contributes on this Bill would avoid advancing any sentiments of anti-regionalism, segregation, xenophobia or fear-mongering. Is this too much to ask for, Madam Speaker? Is this too much to ask for from our colleagues on the other side? Time will tell and we shall see today.
Madam Speaker, I would encourage all Members opposite to start demonstrating more belief in the people of Trinidad and Tobago—

Hon. Members: [Desk thumping]

Sen. The Hon. Dr. A. Browne:—more belief in the strength of our people, and more belief and understanding of the reality that by working together closely with our Caricom brothers and sisters we can and will create a better future for all of us in this region.

This Bill, exactly as it is drafted, upholds the dignity of Trinidad and Tobago, upholds the principles of reciprocity and good faith within our region and ensures that Trinidad and Tobago will join our Caricom counterparts such as Barbados, Guyana, Belize, Grenada, Jamaica, St. Lucia, St. Vincent and the Grenadines, and Suriname in deepening the regional integration movement. So, a debate along these lines, Madam Speaker, would be in the best interest of all the people of Trinidad and Tobago, whether they are in Diego Martin, or Charlotteville, or Chaguanas, or Naparima.

The truth is, Madam Speaker, that this Bill demonstrates Trinidad and Tobago’s and this Government’s commitment to the Caricom Single Market and Economy, which is in the best interest of all our people, which is essential for our very survival as small, vulnerable states.

Madam Speaker, this Bill conforms with the decisions of the Heads of Government of Caricom made at the Twenty-Seventh Regular Meeting held in July 2006 and at its Eighteenth Inter-Sessional Meeting held in February 2007, which decided to expand the categories of skilled nationals from five to 10. So, this is not yesterday. These obligations are not yesterday. These are important decisions that we have to make now. So, that decision was made to expand the categories of skilled nationals from five to 10. As such, nationals of this country will be able to
apply for a skills certificate in the categories of university graduates, artistes, musicians, sports persons, media workers, nurses, teachers, artisans with a Caribbean Vocational Qualification, CVQ; holders of associate degrees or comparable qualifications; and household domestics with a CVQ or comparable qualification. This must not just be for university graduates alone, Madam Speaker. We have to consider all of the people of our region and country.

Hon. Members: [Desk thumping]

Sen. The Hon. Dr. A. Browne: Additionally, at the Eighteenth Special Meeting of the Conference held in Port of Spain in 2018, right here in this country, Heads of Government of Caricom agreed to expand the categories of skilled workers from 10 to 12 to include eventually security guards and agricultural workers. And, Madam Speaker, I want to note very carefully on this record that those two additional categories of skilled workers would be eligible to move freely only when the appropriate definitions and qualifications would be agreed upon by the relevant community organ, which is the Council for Human and Social Development, COHSOD, and subsequently would be approved by Heads of Government of Caricom. So, the two more are yet to come.

Madam Speaker, the expansion of the categories from five to 10 is not a newfangled concept and therefore, Trinidad and Tobago, it is time. We have to stand equal to Member States such as Belize, Grenada, Jamaica and St. Lucia, to name a few, who have already legislated 10 expanded categories of skilled workers in this system of legal and orderly migration.

Madam Speaker, such is the importance of the free movement regime that at the Eighteenth Special Meeting of the Conference of Heads, our Heads of Government also agreed that those member States who are so willing would facilitate the full free movement of persons by the year 2021. However, this
objective was not realized for various reasons. Despite that setback, the freedom to move within our region is essential to deepening the economic and political integration of the Caribbean community and to building our identity as Caribbean people.

Subsequently, Heads recommitted themselves to the CSME through formal declaration at the Forty-Second Regular Meeting of the Heads of Conference, held on the 5th and 6th of July 2021. Madam Speaker, these are the irrefutable facts. This is the recorded sequence of events that have led us to today’s debate. And I dare say that nothing that the Opposition can conjure today will change this historical reality and nothing they will offer, nothing they can offer will alter our obligations to the future of Caricom that are enshrined in this Bill.

Hon. Members: [Desk thumping]

Sen. The Hon. Dr. A. Browne: Very importantly, Madam Speaker, this Bill also greatly harmonizes Trinidad and Tobago’s administrative processes with those of other Member States in our region by implementing the decision agreed to by Heads of Government in 2004 to accept one skills certificate across the region. This removes the inconvenient obligation of Caricom nationals, including our own, having to reapply for skills certificates within six months of entry into a particular Member State. So, as it stands now, for entry into Trinidad and Tobago there is this obligation to reapply within six months of entry. Madam Speaker, these are matters that have already been determined at the highest level in our region and we must now come into compliance.

Madam Speaker, Caricom nationals will all benefit, including the people of Trinidad and Tobago. This Bill allows Trinidad and Tobago to join other Member States in implementing a fee structure for applications, for new and replacement skills certificates. And as I have mentioned before, Madam Speaker, to date this
country has forfeited in excess of $3million to the Treasury because these structures have not been put in place. We are doing so today and therefore, we will benefit further into the future.

Madam Speaker, this measure will not only provide significant ongoing revenue to our economy but will also discourage the sad practice of applicants who fail to collect their skills certificate. Currently, I regret to tell this House there are over 200 skills certificates in the CSME unit still awaiting collection by applicants. We are treating with these measures in the legislation before this House.

Additionally, Madam Speaker, this Bill ensures that the relevant free movement stamp is affixed in the passport of Caricom nationals at the port of entry. This process facilitates the free movement regime as outlined in the CSME handbook; outlined in the CSME handbook, which guides all members of Caricom.

Further, this Bill includes robust and effective penalties for fraudulent activity to deter would-be abusers. And that term “fraudulent activity” and “abuse” should echo in House given what we have heard a short while ago. It will deter fraudulent activity and would-be abusers.

The Bill also ensures that the power to deny entry or to deport a non-national is retained by the competent authority for immigration. We do not give up that power. We are not just blindly obliged to accept anyone into Trinidad and Tobago. The power is retained by the competent authority for immigration to deny entry or to deport a non-national, notwithstanding the implementation of these measures. So, Madam Speaker, it is clear that the Bill before this House is well conceived. It is absolutely necessary. It bestows upon us many advantages.

But, Madam Speaker, I want to go even further because I have heard claims, some sad claims, weak claims that this Bill benefits nonnationals of Trinidad and Tobago at the expense of our own people. And I want to—the current this is
vaccination—inoculate this debate from some of that foolish reasoning that I have heard elsewhere.

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

**Sen. The Hon. Dr. A. Browne:** Vaccination time. Madam Speaker, let me tell this honourable Chamber that nothing could be further from the truth. As we legislate the expanded categories of skilled nationals, it means that skills certificate holders from this country, from Trinidad and Tobago, can now better access the larger regional market for employment, for investment, for business opportunities in any of the 13 participating CSME Member States. This is for us as well.

So, if anyone on the other side dares today—I nearly said the other sides. Well, maybe there are some other sides. Anyway, I do not want to distract myself, Madam Speaker. If anyone on the other side dares to stand up and moan and groan about the economy and we cannot afford these provisions now, and all those weak lines, I say to you—to them, through you, Madam Speaker, it is at this challenging time when our people stand to benefit the most from available opportunities right across the Caribbean community. And our people are already doing so, Madam Speaker, from managing hotels in St. Vincent and the Grenadines, to operating rigs and offering a wide range of services to the emerging petrochemical sector in Guyana.

I was there recently as part of the Prime Minister’s delegation. Trinidad and Tobago nationals are taking advantage of opportunities right across our region. We are innovative. We are creative people. We are highly skilled and educated and we are driving the regional economy. This Bill further empowers additional categories of our people to go out there to take advantage of those opportunities, to provide for their families and to support the dream of a regional economy, strong, proud and resilient for all Caricom people.
Hon. Members: [Desk thumping]

Sen. The Hon. Dr. A. Browne: We are out there. We are in Guyana. We are managing banks in Antigua and Barbuda. We are offering insurance services in many Member States. Our people, our private sector, have been doing very well in Caricom and this Bill empowers more of our nationals to do even more within our region.

So, Madam Speaker, we are not going to allow anyone here to advance an argument of them versus us, or us versus them, and we have no jobs here so let us limit our category. That is—I cannot even say that is small thinking. That is no thinking, Madam Speaker.

So, today I invite Members opposite to think bigger and better than they have been able to demonstrate thus far. I invite them to think bigger and better than their colleagues did in another place. In this wider regional economy that we are helping to create here today, all Caribbean people will benefit, especially the highly-skilled, creative and innovative people of our beautiful beloved twin-island Republic. Why would we deny these expanded opportunities to our people that this Bill delivers?

And, Madam Speaker, what about our diaspora? What about our diaspora? This Bill and the expansion of the regional economy creates opportunities for our diaspora as well to invest their skills, their expertise and their capital back into this country and region because we are offering a much more attractive product now.

3.00 p.m.

When an empowered member of the diaspora, whether they be in the US, or Europe, or Canada, or wherever they are, instead of investing just in Trinidad and Tobago, with this free movement regime they are now able to invest in a regional opportunity, a regional product. And so it will be far more attractive to them who,
up to now, may have been operating elsewhere. And our region would be more attractive for them to bring home their skills and bring home their resources. That is good news for all of us.

Madam Speaker, so this House must be cognizant of the consistent and strident calls from the local and regional private sector as well, for the expanded free movement within Caricom. These calls have been consistent, they have occurred up to this morning. The local private sector and the regional private sector are beseeching us to move forward with these measures because they see the value. They see the value, and they know the benefits will accrue across the board.

This is necessary so that our entrepreneurs can access the widest possible pool of skilled workers, and so that we can deepen regional business ties and collaborations across other member States hassle free. And if there are any doubting Thomas’, or doubting—I would not call any other first name—but doubters on this point, I would strongly advise that they have a chat with Republic Bank which is moving just about everywhere. We were confronted in our recent travels by huge billboards and posters; Republic Bank is building a regional empire that we in this country can be proud of. So talk to them. Talk to Republic Bank.

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

**Sen. The Hon. Dr. A. Browne:** Talk to Massy Limited, talk to them as well. Talk to the Trinidad and Tobago Chamber of Industry and Commerce. Talk to the Trinidad and Tobago Manufacturer’s Association, also. But it is not just big business, Madam Speaker. Talk to the owner of that small boutique hotel that is looking for a particular category of staff within the Caribbean. Talk to the young barber from St. James who dreams of cutting hair for celebrities in Bequia or Mustique or some other Caricom territory. Talk to the highly skilled acrylic artist, or air condition technician, or skilled wire bender from San Fernando maybe who
wants to expand her horizons to Montego Bay or Ambergris Caye, or other location within our region. This Bill empowers all of them, the full spectrum.

Madam Speaker, I have checked the record within our CSME Unit and I can inform this House that a total of 3,319 Trinidad and Tobago nationals have thus far received skill certificates during the period 2002—2022.

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

**Sen. The Hon. Dr. A. Browne:** So it is a fact that many of our people have been benefiting. But with this Bill we are offering that gift, that opportunity to many many more of our people to benefit within our region. This cannot just be about the elites and the university graduates alone. It is not about doctors and nurses alone. There are other skilled categories of people that we have to offer this opportunity to, and that our heads have agreed to offer this opportunity to.

Madam Speaker, there are so many benefits to implementation of this Bill. I see I may have about 25 minutes if my interpretation is generous.

**Madam Speaker:** Your full time expires at 3:27.

**Sen. The Hon. Dr. A. Browne:** Thank you, Madam Speaker. You are always more accurate. There are so many benefits to the implementation of this Bill, not least of which is this country’s compliance under Articles 45 and 46 of the revised Treaty of Chaguaramas, which should be familiar at least to some Members opposite. So all who have been praising the Barbados’ and the Guyana’s of the region, praise, praise, praise, fine. Well, I have brought a gift for you here today.

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

**Sen. The Hon. Dr. A. Browne:** You can vote to join them. You can vote to join them in this very important Caricom measure. Merry Christmas. You can vote to join them today in this very important measure.

Madam Speaker, as important as this Bill is we are not seeking to implement
it in a vacuum. A lot of groundwork has been done over the last several years to place a foundation against which implementation will be smooth and effective. Indeed the Ministry of Foreign and Caricom Affairs has already embarked upon a seven-phase modernization plan in line with our National ICT Plan 2018—2022 and our National Development Strategy, *Vision 2030*. This modernization plan focuses on our CSME Unit and is aimed at developing a streamlined service where information is available 24/7, and where our nationals are aware of their rights and their responsibilities under the free movement regime.

Currently, the Ministry of Foreign and Caricom Affairs is collaborating with the Ministry of Digital Transformation. We are working very closely with the Ministry of Digital Transformation, and with iGovTT to build an online application system that places power and predictability in the hands of the user through an application tracking facility. The online application system is very close to completion. And I want to take today to extend my heartfelt thanks to the development team at the Ministry of Digital Transformation and iGovTT.

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

**Sen. The Hon. Dr. A. Browne:** Manifesting the Government’s vision of digital transformation of our society including within our CSME Unit. Madam Speaker, I think it is incumbent upon me to further inoculate this debate against any attempt opposite to distort the record or to mislead this House. I could but try.

Firstly, Madam Speaker. Firstly, the UNC is not the architect of the CSME. The UNC—you believe I heard that being attempted somewhere else? The UNC is not the architect of the CSME. It is a fundamental historical fact that one Dr. Eric Eustace Williams was one of the founding fathers—

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

**Sen. The Hon. Dr. A. Browne:**—of the two monumental pillars of our region.
Two monumental pillars of our region, Caricom and the People’s National Movement. And for those reasons—

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

**Sen. The Hon. Dr. A. Browne:** —he is renowned as the father of the nation. And Madam Speaker, on the other hand, if you are looking for a political party that resists, and drags its feet, and ducks and runs from its responsibilities within Caricom, you need look no further than the United National Congress.

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

**Sen. The Hon. Dr. A. Browne:** I have been paying attention, Madam Speaker. The UNC has morphed—maybe they were not always there, they have morphed into the most anti-Caricom political party in our entire region.

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

**Sen. The Hon. Dr. A. Browne:** I say it again, Madam Speaker, and I hope they will try to prove me differently. The UNC has morphed into the most anti-Caricom political party in our entire region.

Madam Speaker, one of the other points I have heard parroted by Opposition spokespersons on this Bill involves some vague reference to voter padding. “So we inoculating, we vaccinating the debate”. Some vague references to voter padding. Madam Speaker, absolutely nonsense those references.

Madam Speaker, let me cut to the chase. The notion that Caricom nationals would enter Trinidad and Tobago or any Caricom member State on a skill certificate, simply to settle into a specific constituency to cast a vote instead of seeking gainful employment to take care of their families can only be the product of an imagination more vivid than that of Harry Potter or his creator J.K. Rowling.

This Government has the distinct honour of presiding over a strong and vibrant democracy holding this position of leadership today because of the wise
choices of the people of Trinidad and Tobago.

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

**Sen. The Hon. Dr. A. Browne:** And any statement, Madam Speaker, to the effect that Caricom nationals entering our jurisdiction under the categories of barbers, household domestics, and security guards are unskilled, I find those reference repugnant and disrespectful when the very topic of our discourse is the Immigration Caribbean Community Skilled Nationals (Amdt.) Bill.

Madam Speaker, careful consideration has been given to the selection of each skills category. Not just by this Government. Not just by the PNM or however they want to cast it, but collectively, by all governments across our region working together to ensure that, irrespective of job title, each category of skilled national must possess qualifications showcasing their competence in their respective fields.

You see, Madam Speaker, some of us actually do work on these regional issues in collaboration with—

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

**Sen. The Hon. Dr. A. Browne:**—our counterparts across the region. The Bill specifically recognizes the important role—and I want them to take note on the other side—the important role of the Accreditation Council of Trinidad and Tobago, the National Training Agency, the Nursing Association of Trinidad and Tobago, and the Trinidad and Tobago Coalition of Services Industries, and the Teaching and Teacher Development Division of the great Ministry of Education, as crucial stakeholders in verifying the qualifications of those who wishing to obtain a skill certificate. So there is nothing vaille-que-vaille or loose about this. This is specific and the Bill names and recognizes these important institutions.

Madam Speaker, I wish to reference the wise words of one Dr. the Hon. Keith Rowley, Prime Minister of the Republic of Trinidad—yes the wise words—
Prime Minister of the Republic of Trinidad and Tobago who addressed the Caricom Agri-Investment Forum and Expo held in Guyana in May 2022. The hon. Prime Minister elucidated the key role of the Caricom Single Market and Economy in our economic recovery and reminded our region that as small economies fighting against the challenges swirling around us, we cannot still be operating on the basis of you versus me, mine versus yours, Madam Speaker. And I was inspired by those words, and the truth is, that unless there is full acceptance of Caricom as a proper single market and economy as enshrined in this legislation, many of our regions’ most important objectives will remain unrealized and unfulfilled. And I put it to this House that is in the interest of no parliamentarian and no citizen of Trinidad and Tobago.

Hon. Members: [Desk thumping]

Sen. The Hon. Dr. A. Browne: Madam Speaker, with that in mind I now propose to go through some of the proposed amendments including those that were made at the committee stage in the other place.

Madam Speaker, I take this House to clause 4 of the Bill which amends section 2 of the legislation. This amends section 2 of the Act principally to expand the definitions of “certificate” and “dependent member of the family”, and to include a new definition for “CSME” and “principal beneficiary”. Again, bringing our legislation in line with that which obtains across the region. One of the benefits, Madam Speaker, afforded to the principal beneficiary of the CSME Skills Certificate is the opportunity for their spouse and dependents to move and live with them in another CSME member state.

And clause 4 seeks to amendment the Act by expanding the list of those qualifying under the category of dependents to be more inclusive and harmonize with the definition of “dependents” in the protocol and contingent rights to which
Trinidad and Tobago is a signatory. Member States such as Barbados, Guyana, and Belize have also included this definition of “dependent” in their skilled Nationals Acts. Dependents would now cover an unmarried child of a principal beneficiary including:

“(a) an unmarried child of a principal beneficiary including an unmarried child of the spouse of a principal beneficiary, who is—

(i)  under the age of eighteen years;

(ii) under the age of twenty five years and attending school or university fulltime; or

(iii) over the age of eighteen years and…

(A) certified by a medical practitioner as suffering from a disability…

(B) wholly dependent on the principal beneficiary as a result of the disability;”—et cetera, et cetera as listed in the clauses.

I want to also visit clause 5, Madam Speaker, which touches on section 3(1)(a) and (b) which ensures that those Caricom skilled nationals that are:

“...the subject of...”—an issued deportation order—“...under any written law or...”

—those—

“afflicted with any infectious or dangerous infectious disease under the Public Health Ordinance”

—will not be permitted entry Trinidad and Tobago. This is not a carte blanche let us jump into Trinidad and Tobago. There are powers retained by the State and the relevant Ministries to ensure that certainly the public health of Trinidad and Tobago is protected notwithstanding the expanded free movement regime. The
Government sees this as a very important safeguard built into this legislation and we have ensured that it is included.

Madam Speaker, clause 5 amends sections 3, 4, and 4(1), which seeks to harmonize the protocol for Caricom nationals at the port of entry with the decision of heads of government at the Thirteenth Regular Meeting which occurred in 2009, that all eligible categories of skilled community nationals must be granted a definite entry of six months if they present their skills certificate at a point of entry, and must receive the stamp “free movement, definite entry, right to work, verification required” in their passport.

During that period the receiving country has the right to reply and the qualifications of the skilled national—sorry. The receiving country has the right to verify the qualifications of the skilled national. Once verification has been completed, an indefinite stay shall be granted and the stamp entitled, “free movement, indefinite entry, right to work” must be affixed in their passport. Again, bringing us into line with the rest of the region.

Madam Speaker, clause 6 amends section 4B (1) and (2) which renders a skills certificate invalid in cases where the applicant willfully presents false information and/or documents to the competent authority, or having been previously or subsequently convicted of a criminal offence was found to be utilizing a cancelled or suspended skills certificate. And if the skilled national commits such an offence he:

“...is liable on summary conviction to a fine of one hundred thousand dollars and to imprisonment for five years.”

Madam Speaker, it should be noted that for the period 2013—2021, the verification process successfully identified 134 fraudulent skills certificate. So the verification measures are effective and these safeguards again are built into this
legislation, built into these amendments, and we have robust fines and deterrents for those who might try to circumvent this system.

Madam Speaker, clause 6 amends 4C which regulates the change of employment of the skills certificate holder within the categories agreed to by heads of government. In this instance, the Caricom skilled national must apply for a replacement skills certificate from the CSME Unit of the Ministry of Foreign and Caricom Affairs in order to add the new skill category to their skills certificate. And clause 6 amends 4C(b) which regulates the change in employment of the skills certificate holder outside of the categories already agreed to by heads of government. In this instance, the Caricom skilled national must obtain a work permit from the Ministry of National Security in order to work, that is, if they fall outside of these expanded categories as required under the Regulation 10(1) of the Immigration Regulations. I just want to touch on a few more clauses, Madam Speaker, in the 15 minutes or so that I may have.

Clause 7 amends 2A(c), grants the power of the Minister responsible for immigration to revoke permissions given to the skills certificate holder under this Act due to reasons of threats to “national security...public health”, public morals, or decency. And 2D grants the power of the Minister responsible for immigration to revoke permissions given to the skills certificate holder under this Act, based on the recommendations of the competent authority Minister of Foreign and Caricom Affairs due to the reasons that have already been set out.

Madam Speaker, again, I am just going though these to itemize the safeguards that are built into this legislation, the careful and strategic thought that has been applied to ensure that Trinidad and Tobago, while enjoying all of the benefits, is protected from any of the downsides or any attempts to exploit our country for nefarious purposes.
Madam Speaker, I will move right along in the interest of time to another important clause which is clause 11, amending section 8(1)(e) to (ea), which upholds the ACTT as the body that accredits institutions and qualifications of applicants for a CSME skills certificate in accordance with the Accreditation Council Act. So if someone stands up here and pretends well this is vaille-que-vaille and you know, it is all fast and loose, they would be speaking in defiance of the written clauses that is before every Member of this House.

Madam Speaker, clause 11 mandates Trinidad and Tobago nationals, prior to applying for skills certificate under any category other than a university graduate or holders of associate degrees, to register and gain certification with the registered competent body approved by the Minister that assesses and certifies the skills of such persons.

Madam Speaker, I hope I have made it pellucidly clear. It must be noted that in the year 2021 the CSME Unit held stakeholder consultations with key bodies that assess qualifications and registers nationals in varying professions in Trinidad and Tobago, such as the NTA, the National Training Agency, and the Trinidad and Tobago Coalition of Services Industries.

This exercise determined the capacity of Trinidad and Tobago to facilitate the new categories of skilled nationals. We have done our homework, Madam Speaker.

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

**Sen. The Hon. Dr. A. Browne:** This country is ready to take its place in full compliance. Madam Speaker, Barbados already has 12 categories, if it implemented all. Belize has 10, Grenada has 10, Guyana has 10, Jamaica has 10, St. Lucia has 10, St. Vincent and the Grenadines has seven, Suriname has seven, and then there are a few countries with five. Trinidad and Tobago is in that trailing
last category, up until today. And after today, Madam Speaker, we will take our rightful place as strong members of Caricom, as founding fathers of Caricom, and as key believers in the vision of a regional economy that will empower us all.

So, Madam Speaker, as I conclude these remarks, as small island developing States, all of us, vulnerable to debilitating exogenous shocks such as climate change, COVID-19, the war in Europe. No one in Caricom can stand-alone. No Caricom member can stand alone. History; even our current circumstances, have proven that. The very essence of Caribbean integration is the intentional undertaking of pooling of our natural and human resources for our collective regional good and sustainable development. This realization is the foundation of this Bill, and I have no hesitation in commending it for the consideration of this most honourable House of Representatives. Madam Speaker, I beg to move.

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

*Question proposed.*

**Madam Speaker:** Member for Naparima.

**Mr. Rodney Charles** (Naparima): Thank you very much, Madam Speaker. As I join the debate today, I have some key issues I would like to raise concerning this Bill. And I would like to say from the onset, Madam Speaker, that firstly, I find that this Bill at this time is insulting to nationals of Trinidad and Tobago.

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

**Mr. R. Charles:** Madam Speaker, on the eve of reports that approximately 468 TSTT workers are about to be retrenched, protest by our trade unions over the Government’s insulting two per cent increase, and the fact that over 28,000 of our citizens are currently unemployed, and thousands more are underemployed, it is shameful that this Government can come today with a straight face to justify this legislation.
Mr. Charles (cont’d)

Hon. Members: [Desk thumping]

Mr. R. Charles: Madam Speaker, do not get us wrong on this side, the idea is commendable. The idea is commendable, but the timing is wrong, Madam Speaker. Let me make the point. We are, in principle, supportive of Caricom integration, et cetera, but not at this time, not in this place, not in this country where our citizens are feeling the effects of COVID, feeling the effects of unemployment, et cetera. The problem lies in the timing of this Bill given the economic climate we face today.

Madam Speaker, timing is important. And I would refer as I start—I would start to the book—and I start spiritually, to the book of Ecclesiastes, chapter three verses one to four, and it speak to the question of timing. And it says—[Mobile device goes off] “For everything there is a season”—

Madam Speaker: Please just get the device under control. Please continue.

Mr. R. Charles: Thank you. The scripture says, with respect to timing, fundamentally it says, and I quote from Ecclesiastes 3:1-4:

“To everything there is a season”—and;
“A time for every purpose under heaven:
A time to be born, And a time to die;
A time to plant, And a time to pluck...”—well, to reap;
“A time to kill, And a time to heal;
A time to break down, And a time to build up;”

We submit on this side that notwithstanding the good purposes and the good intentions of the Bill the timing is fundamentally off.

Hon. Members: [Desk thumping]

Mr. R. Charles: The Bill expands categories of skilled Caricom nationals to include:

UNREVISED
“...professional nurse;
... teacher;
...holder of...Associate Degree...
...agricultural worker...
...security guard...”—barbers and so on.

Are they serious, Madam Speaker? International recruiters are flocking to Trinidad and Tobago to poach our best, brightest, an expensively trained nurses. And instead of this Government coming to Parliament and trying to keep them here to enrich the common well-being of our society, the Government on that side gives them short-term contracts.

And I know, Madam Speaker, they come to us, and I have to help. In fact my credit card was used to help pay for an exam in the UK. I got the money yesterday, cash. I do not want to do this, but what could I tell a young bright nurse who spent four years at COSTAATT getting a degree, and then you give them three-year contracts? And you know some of them are being sent home after they risk their lives in the interest of all of us. Would it not be better today to spend our time on them than to spend our time bringing in foreigners? Commendable as it is, it is a question of priorities, Madam Speaker.

3:30 p.m.

So, we are essentially telling them to leave, as I was told to leave and go to Guyana or Barbados, while we open our borders to Caricom nurses. Madam Speaker, we are bereft of data. They do not even know on that side how many nurses we want, whether we have a surplus, what categories of nurses but they give a blanket opening to nurses to come from Caricom to Trinidad and Tobago.

The Ministry of Education has indicated that our teaching service is saturated. They tell teachers do not apply. The waiting list is four years down the—
Immigration Nationals (Amdt.) Bill, 2022

Mr. Charles (cont’d)

four years. So, are we serious Madam Speaker? Are we operating a jokey country? Are we operating a data-driven society? I expected the Minister of Foreign and Caricom Affairs to come with data to say, “We, looking at our situation, we need nurses, we need X barbers, we need Y security guards and therefore, we see this as a tool to take our country forward.” So, instead of providing for our citizens, our own nurses and teachers, and other skilled labourers, the administration is sounding the horns, signalling to workers from other countries to come here for these positions. And they will deny it but there is going to be competition for work as jobs become scarce. You cannot turn a blind eye to that reality under the idea of Caricom unity.

Have they not heard the refrain, a bird in the hand is worth two—and you could change “bird” and say “nurse”. A nurse in Trinidad and Tobago is worth two in the bush. So, while Guyana has recently passed a local content law—Guyana has passed a local content law where priority is given to Guyanese nationals and companies in the procurement of goods and services in their oil industry, this PNM administration is snubbing our citizens.

Hon. Members: [Desk thumping]

Mr. R. Charles: Madam Speaker—

Mr. Al-Rawi: Madam Speaker, I rise on 48(1).

Madam Speaker: Okay. So, Member, I will allow you. Just keep your discussion to what the question is with respect to this Bill.

Mr. R. Charles: I—

Madam Speaker: I will allow you.

Mr. R. Charles:—sorry, sorry.

Madam Speaker: Please continue.

Mr. R. Charles: I am referring to, Madam Speaker, clause 1, which speaks to the
categories of jobs that are opened in Trinidad and Tobago. Let me read it specifically because, you see, they do not read. I will read for them.

“The Bill seeks to amend the Immigration (Caribbean Community Skills Nationals) Act, Chap. 18:03 (hereinafter referred to as ‘the Act’) to among other things, expand the categories of skilled nationals from other qualifying Caribbean Community States to enter Trinidad and Tobago under the Caricom Single Market and Economy regime.”

Oh heaven’s sake, I am talking about number—first item.

Hon. Members: [Desk thumping]

Mr. R. Charles: The first item. And if the Member for San Fernando West does not know, read, or he cannot make connections between what he reads and what is here—

Mr. Al-Rawi: Madam Speaker, I therefore rise on 48(1), he having proved the point.

Madam Speaker: Okay. So, Member, continue and remember, direct your contribution this way. Continue.

Mr. R. Charles: Thank you very much, Madam Speaker. And I am making the point that while countries are catering for their citizens in the same Caricom region—and I give the example of Guyana—we in Trinidad and Tobago, at this time, are opening up our borders, our economy, to workers from Caricom States. So, while Barbados agreed—and we are talking about movement of citizens within Caricom and I am showing an example in terms of what we should be doing today. While Barbados agreed bilaterally with Guyana to provide thousands of jobs for Barbadians—so, what Barbados is doing is opening jobs for Barbadians in Guyana. And I would have thought that we would be looking to open jobs for Trinidadians
in the Caricom countries—

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

**Mr. R. Charles:**—instead of doing the reverse. So, Madam Speaker, while Barbados is opening up Guyana to provide thousands of jobs for Barbadians, we open our borders without a clue as to what skill sets we need. Who will fill them under this arrangement? What is the data that says it would result in a net benefit to Trinidad and Tobago and/or ideally what kinds of skills sets are required to kick-start our economy? That is the basic data that is needed to inform a piece of legislation like this. To come and cite platitudes just does not cut it in the 21st Century.

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

**Mr. R. Charles:** We want measurable data. So, Madam Speaker, I am just showing what is happening in the world to show how we are at variance with the trend. The United Kingdom is opening their borders last week to graduates of Ivy League universities. Canada has an immigration policy tied to its manpower needs and we open our borders to whomsoever will may come. So, what I am saying is they must recognize that they are failing their own labour force and we must get our house in order first. Do not just talk but act.

Madam Speaker, secondly, this Bill highlights the persistent haphazard method in which the PNM operates, in terms of the lack of specificity, the lack of data, the lack of connections between data and policy. We are left to assume, to wonder, but the clear cut data is not there. So, you cannot come willy-nilly and drop a list of additional categories without any consideration for the needs of our local labour market without data to justify this expansion. Do we need barbers? Do we need graduates with associate degrees in anything?

I worked at COSTAATT. We graduated people and I get lists of graduates
who are looking for jobs, any job. So, it befuddles the mind to how could one in a situation where your own children—and the first responsibility of that Government is the safety and well-being of our citizens and our prosperity. How could you look at our children who are unemployed and bring competition? Good as that idea is, Madam Speaker, less than 10 per cent of university graduates from Naparima have gained well-paying jobs commensurate with their qualifications since 2018. I want us to ponder on that figure in the context of what we are contemplating doing here today. Less than 10 per cent. It means 90 per cent of Naparima university graduates are either unemployed or underemployed in Trinidad and Tobago. And you bring legislation here today with a straight face expecting our support and when we ask for data, we do not get it.

Madam Speaker, Barbados in their negotiations and decisions seems to tie their plans, tie their legislation, tie their negotiations with the economic needs of that country. So, if the Government was saying today that they have identified a gap in our labour force and these additional categories of skilled Caricom nationals will help fill them, and if they could go further and provide data to show that when they come it would lead to a net improvement in our economic well-being, which they have not done today, they have absolutely refused to do that today, if they had done that we would have supported this Bill. Because no straight-faced UNC, no intelligent UNC Member would get up and argue if you show me that based on this legislation we are going to increase because of the net interaction and the synergies resulting that we going to lead to two, three, four, five, ten thousand additional jobs, we would be hard-pressed to disagree with such formidable data presented to us. But they have no plan on that side. Madam Speaker, I am sorry to say they have no vision.

Hon. Members: [Desk thumping]

UNREVISIONED
Madam Speaker: So, Member for Naparima, I have noticed you are just using the pronoun. Member, you could say honourable Members on the other side. Okay? Just using the pronoun, that is not allowed.

Mr. R. Charles: I apologize—[Inaudible]

Madam Speaker: Please.

Mr. R. Charles:—to my honourable colleagues next door. I apologize. So, my honourable colleagues come today citing platitudes and wrong information. I heard today—I think I heard that the CSME was developed under Eric Williams. I am an admirer of the founding father but it is simply not true, Minister of Foreign and Caricom Affairs, that—and I am reading from the Guardian article, January 30, 2022—January last year, and I quote:

“The CARICOM Single Market and Economy (CSME), was approved in 1989, by the Conference of Heads of Governments to create a single economic space where goods, services, capital and skilled professionals can move freely, where no one is left behind.”

Madam Speaker, who was in power in between—in 1989? It was the NAR Government. So, if you come to Parliament at least give credit where credit is due.

Hon. Members: [Desk thumping]

Mr. R. Charles: You do not want to give it to the UNC, well, at least give it to NAR, Prime Minister Arthur N. R. Robinson. NAR was in government from 1986 to 1991. So, everything in Trinidad—the belief on that side is everything devolves from Balisier House, everything. Sometimes some good ideas come from the NAR Government and from the People’s Partnership Government when we were in power.

Another point the Member—the Minister of Foreign and Caricom Affairs says—talks about the question of voter padding. But facts are stubborn things,
whether we like it or not. It says in the Representation of the People Act—section 12 states, and I quote, a person can vote in Trinidad and Tobago elections if—and they give (a), (b), and (c). I would read (b) alone. If—(b) is if he:

“is a Commonwealth citizen, other than a citizen of Trinidad and Tobago, of the age of eighteen years or upwards who has resided in Trinidad and Tobago for a period of at least one year immediately preceding such date...”

So, let us not argue and quibble about little things at the end. A Caricom citizen who gets a skilled certificate, who resides in Trinidad and Tobago for one year can vote. And we are not saying what, why, who and intent, we are just stating the facts. So, what—all we asking on this side, let us be data driven, let us be factual and in all our utterances, you know, be faithful to the facts.

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

**Mr. R. Charles:** So, Madam Speaker, honourable Members come citing platitudes that CSME is a good thing and we must accept. No data is shown for net benefits, no UWI studies. I have seen in the other place studies from England, studies from Europe, which says that there were net benefits to skills—a free movement of skilled persons across the EU market, but that is the EU. I want to see data from the University of the West Indies or done by West Indian Caricom citizens detailing the facts of our circumstances and presenting a credible case.

So, Madam Speaker, no data whatsoever, no UWI study showing that this Bill will lead to Y jobs, no cognizance of the fact that countries are now coming to terms with the downsides of uncontrolled migration. With—part of the success of Brexit was premised on fears of job losses due to migration, Madam Speaker, or the rise of right-wing movements in Europe, in Hungary and in Poland; in Poland because of the free movement of people. I am saying that that could happen here.
Madam Speaker: So—all right. I am now rising on Standing Order 48(1) and ask you to come back to the Bill before us. I think you have already dealt comprehensively with two issues. So, I would ask you to go on to something else.

Mr. R. Charles: Right. We have some fundamental concerns with respect to this legislation. The qualifying—the countries—they have listed 14 jurisdictions and that is listed in the Act—in the Bill, sorry, and we are asking some questions. If you are inviting people to apply for jobs, you need to know where the vacancies are. That is common sense. But we all need—we all know that that sense is not so common among certain groups of people. Haiti is a qualifying Caricom State under this legislation, tying it in.

Madam Speaker, about 6.8 million of Haiti’s population are living in abject poverty earning less than US $2 a day. Will they be entitled to all the opportunities provided within this Bill or will we discriminate against them? Is this the free movement within the Caricom community, the ability to access employment that the Minister is hoping for? So, this just stresses the dire need for a manpower study to determine the labour needs and capacity of—we could be inundated with Haiti alone. So, we do not want a situation to arise here, as has arisen in Europe and in the United States, where there are fears, particularly at the low-level end of the job spectrum.

“In the 2021 Budget…”—presentation, the Minister of Finance—“said the goal of the Government was to boost jobs.”

I took that from the Express, September 18, 2021.

“…what is the state of…”—employment and underemployment—“in Trinidad and Tobago?”

In the same sentence, in September ’21, the Minister said that:
“...the Government...screened 21,565 applications for salary relief grants...”—in Trinidad and Tobago; 21,565.

Madam Speaker, what does this tell us? What does this tell us?

According to data from the CSO—if we could rely on that data at all—for the second quarter of 2021, the total labour force was five, nine, eight, five hundred—598,500. The total unemployed rate was 28,200. Persons without jobs and seeking work was 22,600.

So, Madam Speaker, you want to stand here and preach about creating opportunities for our Caricom brothers and sisters, but look at what is happening in front our faces. And I want to make the point because we have to deal in the real world. They do not want us to talk about the real world but, Madam Speaker, we have and we are talking about people coming in legally. We have people who are here legally from Venezuela, are we not? This is a perfect example of how Government dropped the ball and failed to utilize their skills to fill our labour gaps. So, we cannot have that there and ignore that in this legislation.

**Madam Speaker:** So, Member, remember, eh, I think where you are going now with filling the labour gap, you know, you are bordering on Standing Order 48(1). So, I am going to give you a little leeway but I am not certain that you are within the Bill.

The other thing is that I think you have spent most of your time making precisely the same point. All right? The basic point is, look, you need to have data to know what jobs you need, if you need jobs, and so on. It is really just a very circuitous point that you are making. So, please, go on to something else.

**Mr. R. Charles:** I move on.

**Madam Speaker:** Yes, please.
Mr. R. Charles: I move on. This legislation is another example of this Government’s focus on punishment over rehabilitation. I will tie it in. Clause—Madam Speaker, when you look at clause 6, the insertion of section 4B(1)(b), 4B(1) states:

“A certificate verified as being valid under section 4 shall be deemed to be invalid where…”

And (b), it says:

“it is subsequently discovered that the holder of the certificate was previously convicted of a criminal offence in the qualifying… Community State in which the certificate was issued;”

Now, assuming that the certificate is issued in Trinidad and Tobago, criminal offences under our law includes obscene language, unlawful possession of animals or parts thereof, being found drunk in a public place, bathing or washing clothes in the Maraval River, washing clothes in a stream or pond, fortune telling. It includes obscene exposure, singing obscene songs in public space, public nuisance. It includes begging.

So, if a person was convicted of cursing in public 10 years ago, their certificate would be invalid? If they possess wild meat outside of the hunting season, invalid? If in a past life they were a fortune teller, invalid? If they were drunk in public place, invalid? Meanwhile—and here is where the legislation is not—there is no equity in the legislation. Meanwhile, high-end offences and white-collar criminals go undetected throughout the Caribbean, including Trinidad and Tobago. That is one of the reasons why we on the EU blacklist for non-cooperating States, for money laundering.

So, while we are punishing the low end, in terms of who can come in or not, the high-end criminals are free to enter. Most cases of money laundering or fraud
are rarely detected in TT, in Trinidad and Tobago, and presumably in the Caribbean, let alone charged. What if we have persons entering Trinidad and Tobago that committed white-collar crimes and were not caught being granted a certificate because it is open to university graduates now and people with associate degrees? It is something we have to be concerned about. We are already on our Caricom blacklist. And what about holders of investment passports in certain Caricom States? There are instances where passports can be purchased and they get citizenship in, at least I know Dominica, I think Antigua and Barbuda. And if that is the case and a foreigner who could be an Italian citizen—and I have met some of those at the UN and they appear at UN and they say they are a Dominican citizen. And you ask a question and you realize that they have investment passports, will they be eligible? How will you detect and prevent this?

So, while the Government will come with endless self-praise concerning this Bill, they are clearly not serious about its implementation. I am not talking here about data and whatnot. I am talking here about the operationalization of this Bill. They have not done their homework. They deserve to go—if they were in school, they would be in detention writing 1,000 times on a piece of paper that, “I must research well and obtain requisite data before I bring foolish laws to Parliament.”

Is it right to prevent a person qualified under this law simply because he committed the offence of being drunk in public? So, we are talking about expanding on this issue of criminal offences. I saw no provision to check whether persons who qualified as dependents of a primary beneficiary have a past criminal record. I think the Minister would want to clarify that in his winding up.

And I also would like to ask the question at this time: What happens if a spouse comes in at—on the basis of a husband or wife getting a skills certificate to come to Trinidad—what happens if that person seeks employment? Another
question in terms of the operationalization of this thing: Is the person who is applying, does he have a job identified or he presents to Trinidad and Tobago on the basis of his qualification and then looks for a job? And the question is: What happens if he does not get a job? Does he float around Trinidad and Tobago? What happens if he gets a skills certificate and he has a job as barber and after two months he loses the job? Do we have the mechanisms to monitor that and to ensure—we could talk about the unit and the compliance et cetera but do we have, knowing the Trinidad and Tobago that we know, the mechanisms to actively monitor and to nip problems in the bud?

So, Madam Speaker, let me just mention quickly when we speak about dependents of the primary beneficiary. What about the children? Has the Government even given thought of the influx of children entering our education system? And they cannot say this is not relevant to the legislation before us much as they would like to say that. Has the Government—are our schools prepared to deal with an increase in student population at this time? That is a direct result; direct result of bringing in families with respect—based on the legislation.

We already have uncompleted schools, schools not adequately prepared to incorporate COVID protocols, schools lacking funding for basic sanitizing. Yet, I am sure the Minister and the Government did not even consider that and they do not want us to talk about it because they are myopic. We have a Bill in front of us, they have lists in front of us, we have clauses, stick to the clauses. And if you ask, well, if in this clause in the operationalization, did you consider that? That is irrelevant? And that is the problem and Trinidad. Our policies do not seem to be backed up by data. We know that. But by common sense, totally, absolutely lacking.
Just a couple of weeks ago, I saw that 1,500 Venezuelan children will be affected by the suspension of the Equal Place: Education Programme—

**Madam Speaker:** Member, Member, Venezuela is not part of this Bill. Okay? Please, get back to this Bill. Okay? I stand on Standing Order 48(1), please come back to this Bill.

**Mr. R. Charles:** I move on, I move on. This Bill will only work if border controls exists. Madam Speaker, the problem goes back to the absence of empirical data and not knowing what our labour force needs are. Our borders have been breached for years with illegal immigrants and we have the issue of document fraud in Trinidad and Tobago. The Minister of Works and Transport recently highlighted instances of fraudulent drivers’ permits. And I am just saying—

**Madam Speaker:** Member—

**Mr. R. Charles:** —that could—

**Madam Speaker:** Member, I am going to stand on the—for the last time, on Standing Order 48(1). Right? This is not about drivers’ permits.

**Mr. R. Charles:** It is about monitoring—

**Madam Speaker:** I have ruled.

**Mr. R. Charles:** Okay. I move on. I move on. Do we have sufficient resources to monitor whether persons in this CSME scheme move outside of the scope of the legislation and therefore would require a work permit? Who will be monitoring whether a person here under this Act is still employed in the category for which they applied? What—

**Mr. Deyalsingh:** Madam Speaker, Standing Order 55(1)(b). He himself has said it about four times.

**Madam Speaker:** Okay. So the “he”—*[Inaudible]*—Member.

**Mr. Deyalsingh:** Sorry, the Member.

**UNREVISED**
Madam Speaker: Yes. All right. Let us get to a fresh point. There are two points that you have made repeatedly: data to know where there are gaps, monitoring. Please move on on.

Mr. R. Charles: I move on, Madam Speaker. What system does the CSME registrar unit have in place for persons who enter TT under the scheme and then move to other employment? I move on. The Government must state what measures they have put in place to ensure that our systems are not overwhelmed. I would ask the question: What level of—will they pay NIS and be entitled to its benefits, these workers who come in to Trinidad? Just let us know.

If they do not—if they are not entitled to benefits, will employers not give them preference over Trinidad and Tobago workers? Have we done any studies to determine the effect on our foreign exchange situation as a result of remittances sent home to their various countries? Has the State found it necessary to investigate, to do the research? And I move to the conclusion.

The Bill will greatly impact our relations with Caricom. We do not want citizens of Caricom, who are fellow citizens like ourselves, coming in here, in Trinidad and Tobago under the provisions of this Bill and finding, like in South Africa, that they are unwelcomed at that level.

4.00 p.m.

Madam Speaker, the issue cannot be taken lightly and it cannot be underestimated. Just yesterday, in BBC news, South Africans took the law into their own hands by attacking foreign nationals working in their country legitimately under a situation just like this. Foreign business owners have raised fears of another outbreak of anti-immigrant violence in South Africa, and we could myopically ignore that? And what we are saying on this side is let us face the facts, the truth, the good, the bad and the ugly, and make decisions based on a realistic
assessment of what we call an environmental scan. Have they not considered—and in conclusion—the current climate and the implications of this legislation? Once again, it is future generations of Trinidad and Tobagonians who will suffer from this Government’s laziness, sloth and incompetence, when it brings poorly drafted and minimally researched legislation to this Parliament. They are continuing down the old road from which we need to change course.

**Madam Speaker:** Member?

**Mr. R. Charles:** Madam Speaker—

**Madam Speaker:** The “they” and the “they”.

**Mr. R. Charles:** Madam Speaker—

**Madam Speaker:** Just one minute. The “they” and the “they” and the “they”, right, is the same complaint we often hear about the “she” and the “he”. All right?

**Mr. R. Charles:** I am at the end.

**Madam Speaker:** Just one minute, I am standing. So you may be at the end, but I am reminding you that you say “hon. Members” or “Member on the other side”, whatever. Okay?

**Mr. R. Charles:** And to those opposite, those hon. Members opposite, even though I know that you are failing Trinidad and Tobago, I will treat you honourably. Thank you.

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

**Madam Speaker:** Prime Minister.

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

**The Prime Minister (Hon. Dr. Keith Rowley):** Thank you, Madam Speaker. Madam Speaker, what we have just been treated to is an extended justification or excuse for maintenance of a pattern. Normally, I would ignore the offerings of the Member for Naparima, but today, I think, I am duty bound in this debate to have a
short conversation with the population of Trinidad and Tobago having been assailed, they having had their sensibilities and their good sense assailed by the Member for Naparima—

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

**Hon. Dr. K. Rowley:**—who, in the best of his theatrics, presented a treatise of half-truths and misrepresentations and, I dare say, Madam Speaker, a revisit of the failure of the federation. Madam Speaker, recently, I had the opportunity to spend a few days in Guyana with the Head of State in Guyana, and in one of our conversations, both of us reflected on what might have been our position as a Caribbean nation had the federation survived, and there was an archipelagic nation than ran from Bahamas to Suriname in today’s world. And we came to the conclusion, Madam Speaker, that if that federation had survived, if that vision of a Caribbean nation of the islands of the Caribbean and the American parts of that nation, had survived, that today this Caribbean nation would have been one of the most powerful nations in the Americas, if not the world.

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

**Hon. Dr. K. Rowley:** Not based purely on the size of our islands and islets and the Belize and the Guyana, but when you add to that, Madam Speaker, the hundreds of thousands of square miles of marine territory and jurisdictions and resources that would have gone into that nation, the population of the Caribbean nation, that federation would have been far better off with a far brighter future than what we are tangling with now, Madam Speaker. And that is why, as I listened to the xenophobic contribution today—

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

**Hon. Dr. K. Rowley:**—of an individual who very officiously holds himself up as understanding the world and world stories and world news and so on, I am
sickened to the core—

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

**Hon. Dr. K. Rowley:**—to accept that that is a contribution in the Parliament of Trinidad and Tobago in 2022 by a Member of Parliament at a time when all that we can do for ourselves in the Caribbean is try and pick up the pieces that have been left. Madam Speaker, many of them on the other side, those Members on the other side, and all our children in the country today, would not have been around and would not have felt the pain of the collapse of the West Indian Federation. You know what happened, Madam Speaker? You know how it happened? There was an election in Jamaica, and as a good political tool for that election, Sir Alexander Bustamante of the JLP, Madam Speaker, did exactly what—

**Dr. Moonilal:** Madam Speaker, 48(1) to rule please, otherwise we will also enter a history lesson as well.

**Madam Speaker:** Overruled. Please continue.

**Hon. Dr. K. Rowley:** Madam Speaker, Sir Alexander Bustamante’s statement in Jamaica is identical to what the Member for Naparima presented here today.

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

**Hon. Dr. K. Rowley:** It went into all the details of what would happen to Jamaica when all these islanders come and descend upon Jamaica and Jamaica would have to find space and place for all of them. And, Madam Speaker, it worked spectacularly in a general election in Jamaica, and the federation broke up over that issue. As I sat there today and listened to the Member for Naparima, I said history has a way of repeating itself.

Madam Speaker, this Government is being accused of doing something today with this Bill at the wrong time. Madam Speaker, this Bill did not originate at this time. What we are doing, Madam Speaker, is coming late to the party. I
heard here, Madam Speaker, the Member for Naparima misrepresent a basic fact about what Barbados has done to protect its people and what Barbados has done. Madam Speaker, would you believe that Barbados is ahead of us on this feature, on this matter and opening up Barbados more to the Caricom people than we have been? That is a fact. Barbados is—as a matter of fact, in the quasi-Cabinet of the Caricom, Barbados has the responsibility for the Single Market and Economy. As a result of that responsibility, when the Heads meet and report on what progress we have made, Barbados is in the forefront of saying that we have done it, we have done it in Barbados and we are encouraging the others to follow.

Madam Speaker, it may be that my colleague from Naparima today wants us on this side to spend some time in the few minutes given to us, one by one, to justify, at this stage, today, in this debate when we present this Bill, to make a case for Caricom or to make a case for the Single Market and Economy. That is what he was saying, that we have not made the case, we have not presented the data.

Madam Speaker, that is like saying that you see a child on a roof and you are saying: “Unless you show me the data that if you fall off there, you neck will break or your back will break, I am not going to move heaven and earth to get you down safely.” This matter has already been dealt with, Madam Speaker, all the way through our territories, all the way to the Heads of Government meeting.

Hon. Members: [Desk thumping]

Hon. Dr. K. Rowley: So to come here today and ask for a justification for this, Madam Speaker, is to look backwards and play smart with foolishness, because you do not want to support the Bill.

Hon. Members: [Desk thumping]

Hon. Dr. K. Rowley: Madam Speaker, we are already in practise with this matter. All we are doing as Trinidad and Tobago now is putting it into legislation as
required by the Caricom protocols so as to continue to participate in a common market which we have signed on to.

Madam Speaker, we have lived with CARIFTA. It was elevated to the Caricom. We are talking about the need for us to go to a single market and economy, and to hear a Member of Parliament come here today and talk about we must justify this to this Parliament is to tell me, Madam Speaker, that the removal of the Single Market and Economy from the Caricom agenda under the UNC was not accidental. It was a deliberate act and it is UNC policy to undermine Caricom. That is what it tells me.

Hon. Members: [Desk thumping]

Hon. Dr. K. Rowley: Because, Madam Speaker, this country, Trinidad and Tobago, absented itself from the Caricom Heads of Government Meeting that took the decision to remove the Single Market and Economy as an agenda item in Caricom. At my first Caricom meeting as head, I was shocked when I realized that had happened, and one of the first initiatives I took, Madam Speaker, was to put that matter back on the Caricom as a matter of agenda.

Hon. Members: [Desk thumping]

Hon. Dr. K. Rowley: As a result of that, Madam Speaker, we here in Trinidad and Tobago hosted a special meeting of the Heads of Government of Caricom to advance that necessary progress of the Single Market and Economy here in Port of Spain at the Hilton Hotel. And, at that meeting, all members of the Caricom signed on to what we now call the St. Ann’s Declaration, meaning that it is CSME or bust.

Hon. Members: [Desk thumping]

Hon. Dr. K. Rowley: That happened here, Madam Speaker, under this Government. So to come here today and hear a misguided person, a Member of this House, making that contribution about the need to justify what we are doing,
and who going to come and who not going to come, Madam Speaker, I warn the Members of this Parliament, that these broadcast go region wide every day. People outside this country, as I do around the world, they follow what is being said here. And I shudder to think, what would be going through the minds of other Caribbean people when they see the news tonight and see a Member of our Parliament denigrating this whole effort of allowing Caricom to move forward into a single market and economy.

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

**Hon. Dr. K. Rowley:** I tell you, Madam Speaker, he is talking about jobs? What do people in Trinidad and Tobago do for jobs? Most of them who have jobs have jobs in the manufacturing sector. What do you call upon this country to do, Madam Speaker? Diversify the economy away from oil and gas into manufacturing and other activities. When you manufacture, what you do with the manufactured goods? You sell them to the people in the other Caricom territories.

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

**Hon. Dr. K. Rowley:** And when they go to buy the goods that you have produced, made in Trinidad and Tobago, that should be a sense of pride for them to participate in our economy by buying our manufactured produce. But, on the other hand, our UNC friends have a habit of annoying Caribbean people. Because, when you see that kind of performance, Madam Speaker, and you go to the grocery in Jamaica or in St. Kitts or in Barbados or in Grenada, angry at what has been said to and about you by a Member of Parliament in Trinidad and Tobago, you shun the goods and sometimes you go public and say you will boycott it.

Madam Speaker, one of the first assignments I had as Prime Minister of Trinidad and Tobago was to go to Jamaica and sit down in front of a large number of Jamaican Cabinet Ministers who had been hearing and dealing with their private
sector, who were organizing a boycott of Trinidad and Tobago’s produce because of the behaviour of the outgoing Prime Minister in Trinidad and Tobago. I had to go there and beg pardon. So they could say what they want, they never had anything to do, but when they make the trouble for this country, we have to clean it up.

Madam Speaker, this is not new, and I advise my colleagues when you want to try to score your political points to hold on to your office in Parliament, that is okay. But remember, you are putting at risk the interest of everybody else in Trinidad and Tobago. Because if our produce are not welcomed in Caricom market because of our statements and behaviour, that is when you will talk about jobs, because when our manufacturers here “cyar” sell their goods in Caribbean islands, you cannot eat it, you would not buy it, and you would not hold yourself responsible for your irresponsible conduct. That is what you would not do.

Hon. Members: [Desk thumping]

Hon. Dr. K. Rowley: Madam Speaker, ask anybody who has nine brain cells in this country—talking about, mentioning the University of the West Indies, have not seen the universities. Go and ask anybody who know anything about anything in this country and ask them if we are better off or worse off by being as a unit as Caricom, where each of us has a stake in the success of Caricom and the Single Market and Economy.

Hon. Members: [Desk thumping]

Hon. Dr. K. Rowley: Ask them what data is missing to come to that conclusion. Our manufacturing sector, Madam Speaker, can supply our consumption in this country times over. We are looking for external markets. Our main external market is Caricom. When we had the St. Ann’s Declaration here in Trinidad and Tobago, to get some of the smaller countries to sign on, Madam Speaker, you know what
was the condition for signing that document and committing to it? Trinidad and Tobago and Barbados had to agree, right then and there, to pay money into the Caricom Development Fund. I am sure if I ask my colleagues on the other side, what is the Caricom Development Fund, they do not know. It is a fund that is part of the treaty where, if you are going to go down the road of putting the CSME in place, because those smaller territories do not have a manufacturing sector to have a balance of trade with you, and all you get—you get all of their market and they get virtually none of yours, the treaty requires that you provide them with a fund to assist them to participate. So you get their market, but you give them some money on the side, the Caricom Development Fund. Ask the Minister of Finance how frequently he pays money into that fund to allow them to participate in the programme where we produce the goods, they buy it and they buy our goods and keep our market going. What you want them to do, Madam Speaker? Shun us, boycott us and buy the goods from Costa Rica and Florida? That will help us create jobs in Trinidad and Tobago. That will help us.

Caricom Prime Minister coming to me, Madam Speaker, and saying to me, listen, you have all our market, we have no problem with that, but our people are focusing against me. We have not got anything to trade with you, but we have some people. Give us in return a little access to some of these people, a few of these people to come down by you and participate by you. That will help us to continue to maintain the relationship in harmony. What is your answer to that, Madam Speaker? What is your answer?

You cannot deny the fact that we dominate the market. You cannot deny the fact that they do not have to do that. But we are committed, Madam Speaker. And if I go back a moment to the Jamaican situation, had there been Caricom movement in any small amount into Jamaica, at the time, when that federation was
breaking up, that would have been the excuse in the ’70s when Jamaica came into great difficulty. But, of course, they could not blame Caricom migration because the federation broke up. Madam Speaker, who leaves a place where there is opportunity and goes to a place where there is no opportunity? And what is this confirmation you need that if the person come here, they cannot bring their wife and they wife will have to work and their children will have to come. Madam Speaker, these things balance themselves out.

If you look at the Federation of United States between Connecticut and Arizona, California and Florida, people move freely depending on opportunities. You do not give yourself the responsibility to measure them and to control them. It is because we have been afraid of that, this balance that will come that people will move within the territories within the islands, that is what caused Bustamante to play that fear and destroy the federation. And having lived that to hear that kind of talk again today tells me that we have learnt nothing in the decades past and we have no future.

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

**Hon. Dr. K. Rowley:** Coming here and sounding pseudo-intelligent, talking about you need secure borders—secure borders between Trinidad and Tobago and Grenada? Secure border between us and St. Kitts or is it that you want no border at all? Because if there was no border between us and St. Kitts and Antigua and Grenada, then the people would flow easily and freely and you have an economy and a country and a future. But, instead, you want these strictures to protect this and protect that. What are you protecting now, Madam Speaker?

Our biggest danger right now is the threat to our food supply. That is what is engaging Caricom now, Madam Speaker, full time, that we are in danger of not being able to feed our population in today’s world. That is what we were focusing
on, on the Guyanese meeting recently and the one to come in Trinidad in August and the Caricom Heads are focusing on that. And in that situation, Madam Speaker, we are talking about taking down barriers, not putting up barriers, taking them down. Somebody on the other side needs to tell the rest of the others on the other side that this is 2022, and joke is joke but this “eh” no joke.

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

**Hon. Dr. K. Rowley:** Coming here and trying to sound like you read all these magazines and talking about this one, that one, that one and the other one, I am not impressed. Uninformed mischief making is not a policy of vision make. Madam Speaker, the Bill in front of us is a continuation of the attempt by Caricom to get some movement of people among our territories. It is called the movement of skills, the skills. It is not an open door, skills. Some people are saying that we should not have any restriction at all. It is already in place, Madam Speaker. Our people have moved to other places in the Caribbean, because we are beneficiaries too. And to imply that because we may have levels of unemployment in our country that the Caricom vision must wait indefinitely, the Caricom commitments must not be met, and that we must not seek to strengthen our position in the Caricom market which we rely on for the jobs that we have. That is what they are asking us to do, Madam Speaker. That is what they are asking us to do. And they know full well that what we are doing today is the commitment that we have made with the Chaguaramas Treaty with subsequent commitments about improvements in our relationships with our Caricom neighbours and all we are doing here, Madam Speaker, is legislating the actions that we have agreed to make.

I am surprised I have not heard from the gentleman from Naparima that as Prime Minister, when you go to those Heads of Government meetings, do not agree to nothing, because everything you agree to will have some negative
consequence on the people of Trinidad and Tobago. Success, Madam Speaker, in this vision of a Caribbean nation, is fundamentally based on the sharing of our space and the sharing of our opportunities and the future of all of us. We are in this together.

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

**Hon. Dr. K. Rowley:** It is because Caricom people see themselves as not being in it together that from time to time we see our neighbours as our enemies or see our opportunities as external to others, and we only think about protecting ourselves. There can be no Caricom, Madam Speaker, with that approach. None. Here we are talking here about producing significant amount of agricultural produce in Guyana. The next thing I would hear from them is that then you cannot bring it into Trinidad and Tobago, because you are interfering with our farmers. So you are talking from both sides of your mouth. You want increased agricultural production, but do not bring it here, because the status quo is going to complain. Our people are going to be affected.

Madam Speaker, no nation has been built on such short sightedness. And if we had not done enough damage to ourselves by having the federation died in the ignominious way it has died, and all our efforts since then to rekindle it has been moving at a snail’s pace, and today’s contribution by the Member for Naparima is the worst I have seen as far as Caricom has been concerned.

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

**Hon. Dr. K. Rowley:** Madam Speaker, is the UNC prepared to get up and tell us whether or not they have a commitment to the Single Market and Economy? And do not try to play smart with foolishness and tell us about now is not the time. That sound like the property tax. It sounds like everything this Government has been doing for the last seven years is never the time because they have taken the
position they are supporting nothing the Government is doing. Right? They went, Madam Speaker, the UNC—

**Madam Speaker:** Prime Minister, just remember the same point about Members on the other side. Hon. Members, please.

**Hon. Dr. K. Rowley:** Hon colleagues on the other side, went to Caricom Heads of Government Meeting and agreed to the glorious step of bringing home our superior court through the Caribbean Court of Justice. It was done by our hon. colleagues on the other side, away from home with our support. It is because of that we also supported having the headquarters here in Trinidad and Tobago. And what has been the pattern of behaviour, Madam Speaker? Find a reason not to support it. When they had the first set of judges appointed, they turned around and say the reason why you are not supporting it is because they do not have enough—any Indian judge on the panel, yes, and resolutely refused to support it. And, of course, subsequently with the fluxion of time and the appointments made, we have an Indian judge on the panel. I have seen no change in their position. So, if that was the reason for not supporting it when it happened, how come that did not temper your objection? How come? And we have the embarrassment today as hosting the Caribbean Court of Justice in our capital city while not participating in the original jurisdiction of the court.

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

**Hon. Dr. K. Rowley:** And that is as a result of the behaviour of a handful of people who get office and assume the responsibility for this population and lead us astray and let us down.

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

**Hon. Dr. K. Rowley:** The UNC has been consistently letting down the people of Trinidad and Tobago on matters of great importance.
Hon. Members: [Desk thumping]

Hon. Dr. K. Rowley: And I say today, Madam Speaker, without fear of contradiction, that if what I heard here from the Member for Naparima is the position of the UNC, we might as well count Caricom goodbye. And, Madam Speaker, the huge untruth of saying that Barbados has gone to Guyana to negotiate bilaterally to put Bajans in Guyana is not true. It is not true.

Hon. Members: [Desk thumping]

Hon. Dr. K. Rowley: Whatever you see Barbados doing, the same thing is being done by Trinidad and Tobago, by Antigua, and we are all working together towards the common goal of strengthening Caricom and protecting ourselves.

Hon. Members: [Desk thumping]

Hon. Dr. K. Rowley: It is a kind of wickedness for a Member to come here today and make a statement like that that Barbados has make bilateral arrangements. You cannot make bilateral arrangements like that in Caricom. You are bound by treaty.

Hon. Members: [Desk thumping]

Hon. Dr. K. Rowley: And the treaty says you cannot favour one over—you cannot favour outsiders and you have to give all your neighbours the same favour. Where did he get that from? Where did he get that from? Madam Speaker, I am not going to waste any more time on the Member for Naparima. I am going to ask my friend from Pointe-a-Pierre to enter the debate and put on the record the UNC’s commitment to the Caribbean Single Market and Economy.

Hon. Members: [Desk thumping]

Hon. Dr. K. Rowley: I am going to ask Fyzabad to enter this debate, as a Caribbean man, and put on record your support for Caricom and the Single Market and Economy.
Hon. Dr. K. Rowley: And that unbecoming, unseeming nit-picking about who is barber and who is this and who is that, we are all Caribbean people at different stations. All we want is opportunity to be a nation.

Hon. Members: [Desk thumping]

Hon. Dr. K. Rowley: And I as PNM leader could tell you. right, that it was Dr. Eric Williams who spoke expansively about a Caribbean nation, but he went over your heads and, today, we are required to pick up some pieces and you are nothing but an obstructionist.

Hon. Members: [Desk thumping]

4.30 p.m.

Madam Speaker: Member for Pointe-a-Pierre.

Hon. Members: [Desk thumping]

Mr. David Lee (Pointe-a-Pierre): Thank you.

Hon. Members: [Desk thumping]

Mr. D. Lee: Thank you, Madam Speaker. I do not know if to thank you or thank the Prime Minister for allowing me to join this debate this evening. It is an important piece of legislation that we are here today, Madam Speaker, and there are many things that the Prime Minister would have said in his contribution—and, you know, I would not want to get into a history match with the Prime Minister about the West Indian Federation, and so forth, Madam Speaker. So, I know the history and what he would have said had some credit as far as the break-up of the federation, Madam Speaker. But I just want to remind the Prime Minister here today—and the Prime Minister mentioned when he was Head of Caricom or when his Government was formed, he had to go to Jamaica to sort of bring back some sort of confidence with the people of Jamaica and Trinidad and Tobago based on some issues that might have happened or perceived that might have happened,
Madam Speaker, and I will get into that later on.

Madam Speaker, when the Prime Minister mentioned about the St. Ann’s Declaration—and today is really about that issue that we are here today and I listened to the Minister of Foreign and Caricom Affairs, the hon. Minister, Minister Browne, when he piloted this Bill this afternoon, Madam Speaker. And today is really about putting back some legislation that should have occurred, Madam Speaker, since 2006, 2007, when back then, 16 years ago, under the PNM Government, these skills, these additional skills were agreed upon back in 2006, 2007. At that point in time, 2006, 2007, there were five recognized skills and based on the agreement, it went up to 10. So, today we are here in the Lower House debating an issue 16 years ago, Madam Speaker, that was agreed upon by the PNM Government. And it is disingenuous when you listen to Minister Browne that—Minister Browne gave the impression that today these skills have just been announced and it is something new for the people of Trinidad and Tobago and Caricom, Madam Speaker. But Minister Browne in his presentation in the other House, it was back in—and even today, it is about 2006, 2007, Madam Speaker. What was agreed upon at the St. Ann’s Declaration was to ensure that Trinidad and Tobago played its part of the legislation of those additional skills and also to add two additional skills, which would have been the security guard and the agricultural workers, Madam Speaker. But really and truly, the genesis of this here today is back in 2006, 2007, Madam Speaker.

Madam Speaker, I listened to both the Prime Minister and Minister Browne and they used the word “xenophobic”; both individuals, Madam Speaker. I want to say from the offset, the United National Congress and this Opposition team is in full support of Caricom, Madam Speaker.

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

**UNREvised**
Mr. D. Lee: But I want to add, just like my colleague from Naparima, we are saying, is the time right today, Madam Speaker—

Hon. Members: [Desk thumping]

Mr. D. Lee:—of adding these additional skills? We are now trying to come out of a pandemic; we are now trying to come out of a pandemic, Madam Speaker, and I know Minister Browne—the hon. Minister Browne in his debate, he mentioned and he hoped—and if I can quote him, he mentioned and he hoped, Minister Browne, that we do not raise the issue about the economy, the moaning and groaning, Madam Speaker. And I will raise it, Madam Speaker, because that is the reality today, Madam Speaker.

Hon. Members: [Desk thumping]

Mr. D. Lee: Our economy in Trinidad and Tobago is not the same in 2006, 2007, Madam Speaker. Our economy today, and that is a reality, is not as strong and is not as healthy, Madam Speaker. Just only recently, Madam Speaker, we are talking about movement, free movement of labour, free movement of workers, Madam Speaker, to our country and an exchange. And we have seen in the papers this week, you know, approximately 400 workers from TSTT to go home.

[Mr. Deputy Speaker in the Chair]

Now, I do not know if the timing of this legislation, Mr. Deputy Speaker, is because the Government of the day does not have an answer about our employment and the layoff of our workers. So, maybe the timing of this Bill is—they are hoping that somehow our workers who are laid off would go to the other Caricom countries to help them out. And we are asking: What is this Government doing to generate employment in our economy, Mr. Deputy Speaker?

Hon. Members: [Desk thumping]

Mr. D. Lee: And it is a fact, the prevailing conditions are not there. When you
look at another point—and I will come back to our skilled—another point I wish to
dispel from the start is our skilled workers, Mr. Deputy Speaker. I want to put it on
record that under the PP Government, led by the hon. Kamla Persad-Bissessar
between 2010 to 2015, that Government did more for skilled workers in our
country than ever before, Mr. Deputy Speaker—

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

**Mr. D. Lee:**—and that is a fact, and I will get to that later in my contribution, the
amount of work that we did to increase the skills of our workers. We had a
fantastic—a great Minister of Tertiary Education, Fazal Karim, who did a lot; a lot
for our skilled industry and training centres, Mr. Deputy Speaker. That is a fact and
I will get to that.

So, Mr. Deputy Speaker, the world has changed. The world has changed. We
are just trying to come out of a pandemic. The world has changed. Globally
everything has changed, Mr. Deputy Speaker. And the Government, every time
they have piloted issues, they have talked about the global—the change and the
effect of the COVID and the pandemic globally that has affected Trinidad and
Tobago, Mr. Deputy Speaker, and we keep saying, is the timing right—

**Hon. Members:** [Crosstalk]

**Mr. Deputy Speaker:** Silence.

**Mr. D. Lee:**—is the timing right for this piece of legislation, Mr. Deputy Speaker?
We had so many business closures in our country. Our FDIs are down. Just
recently, the Member for San Fernando East is talking about NIS retirement age to
be considered, if it needs to be increased, Mr. Deputy Speaker. And there is a
saying, Mr. Deputy Speaker, “Charity begins at home.” While we are in support of
Caricom, charity begins at home, Mr. Deputy Speaker.

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

**UNREVISED**
Mr. D. Lee: I listened to the Prime Minister talk about, “Do not be afraid, there is a balancing act and everything will balance itself out,” Mr. Deputy Speaker. But we are saying, the people are saying, “We are not prepared to take that risk,” Mr. Deputy Speaker—

Hon. Members: [Desk thumping]

Mr. D. Lee:—because we know things do not really go right as promised by this Government.

Another issue for me, Mr. Deputy Speaker, and I want to ask the hon. Minister Browne: What are the opportunities and benefits for our citizens? What are really the opportunities and benefits? And how can you—and I ask Minister Browne, and I want to refer to a JSC report on Foreign Affairs, the Interim Report on an Inquiry into the Status of CSME in Trinidad and Tobago of the Fifth Session of the Eleventh Parliament. And this Committee met in April and February of 2019, one year before the nation was shut down by the pandemic. And one of the major findings on page 6 of that Committee’s report, Mr. Deputy Speaker, and I quote:

“The...”—Minister of Foreign Affairs was—“...unable...”—and I know Minister Browne was not the Minister at the time.

“The...”—Ministry of Foreign Affairs was—“unable to determine how successful Trinidad and Tobago nationals have been in terms of...attaining jobs in CARICOM Member States;”

Today, when Minister Browne piloted this piece of legislation, Minister Browne never stated or gave any data about that, Mr. Deputy Speaker, and that was a concern of the JSC Committee on Foreign Affairs.

Another finding:

“The...”—Ministry of Foreign and Caricom Affairs, of that same report—
“is unaware of complaints of persons finding jobs because it lacks a follow-up mechanism and its system allows for information to only be captured through its complaints procedure;”

This is something that the Member for Naparima raised and this is not Naparima—the Member for Naparima coming up with this, Mr. Deputy Speaker. It was part of this Committee’s report on Foreign Affairs. They have a concern. So, they are saying there is no follow-up mechanism for the—and it is only via complaints that they get information, Mr. Deputy Speaker.

Another aspect of that Committee report is:

“A study is required…”

They are saying:

“A study is required to be conducted by the employers of CARICOM nationals such as the Private Sector via the Chambers of Commerce or any other Business Association or via Government agencies in order to determine the progress being made with regards to CSME;”

So, the Committee, which is made up of Government, Independent and Opposition, these are their findings and their concerns, Mr. Deputy Speaker.

Another concern is that:

“The…”—Ministry of Finance and Caricom Affairs—“is unable to evaluate the CSME’s progress regarding freedom of movement of skills and labour without…data sharing arrangement with the Ministry of National Security;”

This is not the Member for Naparima saying, these are serious concerns that came out of that Committee’s report. And I want to ask Minister Browne, when he took over, if these findings and these concerns were considered piloting this legislation, Mr. Deputy Speaker?

And, you know, we talk about empirical data. My colleague spoke about
that. He has asked about that and, you know, I would not go into that. I want to also ask Minister Browne: What mechanism is in place to determine whether Caricom nationals are finding employment under the CSME, Mr. Deputy Speaker? And my colleague spoke about the labour market study and that is a big, big issue, and I am surprised that Minister Browne has not mentioned anything about labour market studies.

I know Minister Browne talked about working in collaboration—closely with the Ministry of digitization and the great plans that the Minister has with this Ministry. And, you know, Mr. Deputy Speaker, I listened to Minister Browne and it is all these great plans and modernization, but I want to say since 2018, I listened to the Minister Browne talk about the online forms are soon to come on stream. Since 2018 this Government has been in place; since 2018 the St. Ann’s Declaration, according to the Prime Minister, was signed on, and yet today, in 2022, Minister Browne is talking about online forms will be coming soon, Mr. Deputy Speaker. So, a lot of work has not been done by the Ministry. It has not been done. I do not blame Minister Browne. He was not there in the Ministry of Foreign Affairs but he has the responsibility today, and we do not feel that things are moving with the kind of pace that is required to assist our Caricom countries, Mr. Deputy Speaker.

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

**Mr. D. Lee:** They talk, it is all glib and it is nice and all of that, Mr. Deputy Speaker. It sounds good. If you listened to Minister Browne, and I read his *Hansard* in the other place, it sounds good but in reality it does not happen, Mr. Deputy Speaker.

Mr. Deputy Speaker, and I will come to the—again, in that same JSC report—I do not know if Minister Brown ever saw it. I think he should take a look

**UNREVISED**
at it, Mr. Deputy Speaker, because it is very, very critical to assist the country going forward in this CSME legislation. Mr. Deputy Speaker, there is an issue that we have to discuss, unemployment, not only in Trinidad and Tobago but unemployment in our other Caricom countries. And one has to ask ourselves—when I looked at—I did some research and I looked at the unemployment latest figures. For example, Barbados, the latest unemployment for Barbados published on April 21, 2022, is, for the last quarter of ’21, is 10.9 percentage—11 per cent; 11 per cent unemployment in Barbados. Jamaica, as my research has it, and I am guided from the source from the Jamaican Government’s information service, and this is at January 2022, it is approximately 6.2 per cent unemployment.

Our employment is somewhere—for the second quarter of ’21, the latest figures from the CSO is 4.7 per cent. So, unemployment—and these are our two, I would say, major Caricom countries, Jamaica and Barbados. And what about the other small islands? I am sure their unemployment would be much higher, Mr. Deputy Speaker. So, when we talk about the free movement; when we talk about the free movement, Mr. Deputy Speaker, and the ease that there are opportunities for our Caricom—our nationals of Trinidad and Tobago to go to other island states and get opportunities and so forth, I am asking, really and truly, would we move from the—what they say?—“from the pot into the fire”, you know, Mr. Deputy Speaker? Because while we have issues in our country, I think there are greater issues in other Caricom countries, Mr. Deputy Speaker, as far as finding jobs.

Mr. Deputy Speaker, when you look at the—and I just want to quote for the ILO labour outlook for 2021 for Latin America and the Caribbean:

“At the end of 2021, around 4.5 million jobs remained to be recovered, including unemployed people and those who have not…returned to the workforce.”
And that is because of the pandemic, Mr. Deputy Speaker. And as the countries open back up a bit, things are still not as it used to be pre-pandemic, pre-COVID, Mr. Deputy Speaker.

Mr. Deputy Speaker, I want to move to CVQs and the CVQ is the Caricom Vocational Qualification, and that relates to clause 11(b) of the Bill, Mr. Deputy Speaker. The Bill such as this one under the People’s Partnership would be able to allow a significant number of citizens to benefit given the opportunity for citizens within the vocational and technical skills area in CVQ certified, Mr. Deputy Speaker. Under the PP Government—and we talk about skills and upping the skills of our citizens, Mr. Deputy Speaker. Under the PP Government we had something called the Workforce Assessment Centre. And the Workforce Assessment Centre was the brainchild of our past Minister, with the hon. Kamla Persad-Bissessar in the training aspect under tertiary education, Mr. Deputy Speaker. The Workforce Assessment Centre, the idea behind it was that you would have experienced skilled workers who are not certified and they would come to these centres—you could be a mason, a welder, et cetera—and go through a rigorous assessment and at the end of it come out with a CVQ Level 2 Certificate, Mr. Deputy Speaker. Because, you see, when we talk about the artisan aspect in this Bill and CVQ—CVQ 1—the Level 1, Mr. Deputy Speaker, is really an unskilled individual.

So, for this, the freedom movement of labour, we are talking from CVQ 2 to 5. So, from CVQ Levels 2 to 5 is what we are talking about in this Bill is really the freedom movement and Minister Browne did not get into that. Now, what happened with our Workforce Assessment Centre, because we did it between 2010 and 2015, we graduated thousands of experienced skilled craftsmen—

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

**Mr. D. Lee:**—who would have been certified from a CVQ Level 2. When this
Immigration Nationals (Amdt.) Bill, 2022

Mr. Lee (cont’d)

Government came into place, all these Workforce Assessment Centres went away, Mr. Deputy Speaker. And we are here today talking about our skilled—our nationals to be able to go out in Caricom and get better opportunities, Mr. Deputy Speaker. But what they did, as far as really trying to skill—they killed off or they—wrong word—they starved these Workforce Assessment Centres for funding and literally they are no longer in existence or very few, Mr. Deputy Speaker.

When you look at the CVQs in YTEPP, YTEPP under the PP Government—and we are talking about artisan, Deputy Speaker—we created things in YTEPP called a cosmetology bus, a mobile bus—and I listened to Minister Browne—and we were able to go around the country certifying young ladies in cosmetology at least from a CVQ Level 2, Mr. Deputy Speaker. And that is what is required today when you look at this legislation about free movement, to be able to go out in the other Caricom areas, Caricom countries, or even our own country to better themselves, Mr. Deputy Speaker.

Also about barbering, which is part of the artisan, MIC had a lot of welding to skill our citizens, Mr. Deputy Speaker. And under this Government they starved MIC, they starved YTEPP, they starved NESC for funding, Mr. Deputy Speaker. And really and truly, our citizens, as far as skills training, took a beating in the last seven years under this Government, Mr. Deputy Speaker.

Mr. Deputy Speaker, I listened to Minister Browne talk about tourism, talk about our citizens can go out to the different Caricom countries in the tourism aspect, and that is good. But what did this Government do under their tenureship? They closed down the Trinidad and Tobago Hospitality and Tourism Institute, Mr. Deputy Speaker, which was a good, great institute that use to send our students, our citizens in the tourism aspect out in the Caricom—different countries, the different hotels in Barbados, Jamaica for training, Mr. Deputy Speaker. That is no
longer there. They have closed down a critical institute like Trinidad and Tobago hospitality. So, to come here and talk about skills and, you know, and the skills training for our citizens, I mean, their track record has been non-existent for the past seven years in training our citizens for something like today, Mr. Deputy Speaker.

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

**Mr. D. Lee:** Mr. Deputy Speaker, I know my time is coming close to close. So, as I close, Mr. Deputy Speaker, this Government has often criticized us, the Opposition, for not having solutions but today we have a tried and tested solution. We have created skilled citizens of this nation between 2010 and 2015 that no other government has done, Mr. Deputy Speaker. None.

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

**Mr. D. Lee:** We must accept that the pandemic has delayed many frameworks and polices in the world, but even more critically we have an issue that no other Caricom nation has. We have taken in a number of Venezuelan migrants, Mr. Deputy Speaker, and that is a fact. That is a fact and we have to take that into consideration when we talk about employment. But even so, Mr. Deputy Speaker, there was an article in the *Jamaica Observer* on the 20th of December, 2020:

“Caricom urged to help Trinidad and Tobago with Venezuelan migrants”

Caricom, eh, Mr. Deputy Speaker.

“The Caribbean Centre for Human Rights…say that in the wake of the influx of migrants from Venezuela to Trinidad…member states of the 15-member regional grouping, the Caribbean Caribbean Community (Caricom), should be asked to help with the crisis.”

So, our Caricom neighbours understood the crisis that we were going through in helping our Venezuelan—the migrant situation, Mr. Deputy Speaker. So, they are
well aware of the situation as far as taking in additional individuals in our country and the burden that it would place on our economics, Mr. Deputy Speaker, and they were there to help.

So, I ask Minister Browne—and we keep saying: Is the timing right for this piece of legislation for our country? Because we are in a crisis as far as our economy. Unemployment, it is rising. You see it daily and the problems are there, Mr. Deputy Speaker.

So, Mr. Deputy Speaker, as I close, the reality is Caricom is aware of our situation and thus, given the economic circumstances facing us, we should consider this option as we may not be able to facilitate it at this time, Mr. Deputy Speaker. Mr. Deputy Speaker, I as close, I agree with my colleague from Naparima, the points that he would have made. I have listened to Minister Browne in piloting this legislation. I hope in his wind up he can give us some comfort of why the timing is so good. We are not convinced that the timing is right for our country given the burden that we are in presently, trying to come out of a pandemic, unemployment is rising, business closures are at its greatest loss—business closures are at its greatest ever before, Mr. Deputy Speaker. So, with those few words, I thank you.

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

**Mr. Deputy Speaker:** I recognize the hon. Attorney General.

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

**Mr. Deputy Speaker:** Member, you have 30 minutes.

**The Attorney General and Minister of Legal Affairs (Sen. The Hon. Reginald Armour SC):** Thank you, Mr. Deputy Speaker. And I would ask if I be given a signal at about 10 minutes to go, please. Thank you. Mr. Deputy Speaker, hon.Members, I came here today, having been alerted by the Leader of the House, with a prepared written speech and I have sat and listened to Members on the other
side on what I consider to be a very important debate about a very centrally important subject and I was very deeply saddened; deeply saddened. So saddened that I was tempted to depart from that which I had prepared and to speak from the heart. I will speak from the heart but I will not abandon that which I have prepared.

May I say, first of all, thank you to the hon. Prime Minister Dr. Rowley once more for the signal opportunity that I have been given and I thank him in specific regard to the fact that I am a Caribbean person.

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

**Sen. The Hon. R. Armour SC:** And a little later I will invite the Member for Naparima to visit a particular street, but I will come to that.

Mr. Deputy Speaker, this Bill, the Immigration (Caribbean Community Skilled Nationals) (Amdt.) Bill, 2022, is a very important Bill which is part of our history going back to even before 1973, which is the date of the coming into being of the Revised Treaty of Chaguaramas, and we have moved a long way from the 1973 Revised Treaty of Chaguaramas.

5.00 p.m.

Permit me, Mr. Deputy Speaker, to quote some of the more pertinent portions of Caricom’s mission statement, to underscore the point that there is a further obligation on all of us in Trinidad and Tobago, and in every Caricom country, to promote and realize the ideals of regional ease of movement and employment, and with his leave, to borrow the words of the Sen. The Hon. Dr. Amery Browne, what ought to be properly called legal and orderly regional migration. They are: To affirm the collective identity and facilitate social cohesion of the people of the community; to realize our human potential as defined by the ideal Caribbean person, full employment and full enjoyment of human rights; to systemically reduce poverty, unemployment and social exclusion and their
impacts; to increase savings and the flow of investment opportunity within the Community. Those are four of the most important pillars of Caricom and its mission statement, a community to which Trinidad and Tobago belongs, and which Trinidad and Tobago, under the People’s National Movement embraces.

Along with those four Caricom pillars of economic integration, foreign policy coordination, human and social development and security, these all align seamlessly with the global perspectives on integration, communication and respect for the individual. Trinidad and Tobago is cognizant of Caricom’s mission and how its pillars interplay with the United Nations’ Sustainable Development Goals, and our development, our own national development strategy as outlined in the Vision 2030 development document: Goal 8, the promotion of:

“…sustained, inclusive and sustainable economic growth.”

Goal 10, the reduction of inequality among countries, among other goals, are all relevant to this discussion today before this honourable House. In essence, Mr. Deputy Speaker, this Bill transcends into a domestic, regional and international conversation of which we are proud to be part.

This Bill seeks to give further viability to community law and to this Government’s obligations to incorporate and protect community rights through our local legislation, all while simultaneously aligning this region and Trinidad and Tobago with accepted international law and principles of reciprocity and good faith. “Reciprocity”—one does not need to go to the dictionary—simply means it works both ways.

Hon. Members: [Desk thumping]

Sen. The Hon. R. Armour SC: So if I were to digress from any prepared contribution for a moment, if you will permit me, Mr. Deputy Speaker, I was alarmed to listen to the Member for Naparima, because he seemed to be talking
about a one-way street. He seemed not to have read this Bill which we are debating.

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

**Sen. The Hon. R. Armour SC:** And he seemed to be concerned in a condition of xenophobia—

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

**Sen. The Hon. R. Armour SC:**—about, and he used the words. He referred to our Caricom brothers and sisters as “foreigners”.

**Hon. Members:** Shame!

**Sen. The Hon. R. Armour SC:** He spoke about the influx.

**Mr. Deputy Speaker:** Please Members.

**Sen. The Hon. R. Armour SC:** He spoke about border control, all with the intention of sending out— With the greatest of respect, I understood him to be sending out alarm bells to our national community to suggest that our Caricom brothers and sisters, in the influx, the one-way street that this Bill will allow, would be threatening the people of this country, and that is an egregious, false and dangerous premise, Mr. Deputy Speaker.

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

**Sen. The Hon. R. Armour SC:** If I may return to my written contribution.

**Hon. Members:** No! No!

**Sen. The Hon. R. Armour SC:** The background and objectives of this Bill, this Government in furthering its CSME and Caricom obligations has been very committed into the regional integration movement. This movement is one which has evolved over the course of our collective history. It should be noted that freedom of movement is one of the objectives of the CSME, and an integral aspect of this Government’s post-COVID-19 plan for economic recovery.
At the 27th regular meeting of the Conference of Heads of Government of Caricom in July 2006, and at the Eighteenth Inter-Sessional Meeting of Heads of Government of Caricom in February 2007, it was agreed that the list of categories of persons eligible for free movement be expanded from five to 10. For this decision to be implemented and for persons to be able to apply for the required skill certificate, the necessary legislative amendments would need to be made, in Trinidad and Tobago and elsewhere. It is not about a one-way street into Trinidad and Tobago. It is about the reciprocal free movement of Caricom nationals within our Caribbean space, for the opportunities of growth, for the opportunities of jobs, for the opportunities of movement of capital, for the opportunity of family.

How many of us—how many of us have brothers and sisters, wives and children born of our relationships with brothers and sisters from outside of Trinidad and Tobago? That is why I say that the integration movement that Caricom represents, the free movement of peoples which this Bill is about, and is seeking to make for an orderly, regulatory framework for, existed particularly in Trinidad and Tobago long before the Revised Treaty of Chaguaramas came into existence in 1973.

Hon. Members: [Desk thumping]

Sen. The Hon. R. Armour SC: So to raise the xenophobic cry of doom and gloom to suggest that Trinbagonians must somehow or the other be frightened by the spectre of being put out of jobs, invaded by criminals and other persons, is to deny the very essence of who we are as Trinbagonians.

Hon. Members: [Desk thumping]

Sen. The Hon. R. Armour SC: Mr. Deputy Speaker, the Immigration (Caribbean Community Skilled Nationals) Act, Chap. 18:03, has undergone several amendments, and we have evolved even beyond the 1973 Revised Treaty. We
remember that the original Treaty, Article 38, had expressly restricted the freedom of movement. Article 38 had said:

“Nothing in this Treaty shall be construed as requiring, or imposing any obligation on a Member State to grant freedom of movement to persons into its territory, whether or not such persons are nationals of other Member States of the” Caribbean “Common Market.”

That was the 1973 Revised Treaty of Chaguaramas, Article 38. We have moved beyond that.

The revisions to the Treaty signalled a deliberate exercise to move away from those original restrictive Articles, and this was envisioned to incorporate the free movement of skilled workers, capital, goods and services across all Caricom Member States. As it pertains to free movement of skilled persons, the original category of persons contained in the Act has since evolved to keep abreast of the ever expanding skill set of Caricom nationals, from professionals such as nurses and teachers, to include a variety of skilled workers, including agricultural, vocational and artisans.

This Bill and its previous amendment all work to enshrine Trinidad and Tobago’s obligation under the revised treaties. It aims to establish conditions which would facilitate access by our nationals to the collective resources of the region on a non-discriminatory basis. This Bill is providing a legislative framework to enable us to cohere and to co-exist with the legislative framework that exists within our other Caricom brothers and sisters’ nations, to enable our people to go out to take advantage of the opportunities that exist out within the Caribbean space, in addition to allowing persons to come into Trinidad and Tobago. It is about our recognition of our reciprocal rights, our reciprocal bondage, our reciprocal obligations and our reciprocal familial community relationship with
our Caricom brothers and sisters.

It is not about criminals, influx and foreigners coming into Trinidad and Tobago, and I abhor that approach.

Hon. Members: [Desk thumping]

Sen. The Hon. R. Armour SC: And it is not enough, may it please you, Mr. Deputy Speaker, to say I support the idea, while at the same time cynically using cosmetic language, I support the idea, and to denounce the substance behind the idea.

Hon. Members: [Desk thumping]

Sen. The Hon. R. Armour SC: We must walk the talk, not walk the walk, not talk the talk.

Hon. Members: [Desk thumping]

Sen. The Hon. R. Armour SC: We must mean what we say, and we must live by what we mean.

Hon. Members: Hypocrite!

Mr. Deputy Speaker: Member, please. It reached my ear. Could you just retract please?

Mr. Deyalsingh: Of course. I retract the comment of Marine Le Pen. [Crosstalk]

Ms. Ameen: “Is from so.” It was not you.

Mr. Deputy Speaker: Proceed.

Sen. The Hon. R. Armour SC: If I may, Mr. Deputy Speaker, the issue of access to resources on a non-discriminatory basis is fundamental to the spirit of the Treaty and the concept of free movement. It is an issue which has engaged that most important of our regional courts. The Caribbean Court of Justice in its original jurisdiction, and which has provided illuminating judgments on this quintessential Caribbean issue, which no other court, and certainly not the Privy Council, can
address as definitively as it has. And I am going to trouble us with a little bit of the history of the judgments, a few of them of this court, so as to assist the learned and hon. Member for Naparima, to appreciate that that court exists, and he should read their judgments before he speaks about the influx, the xenophobic influx, of foreigners into Trinidad and Tobago.

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

**Sen. The Hon. R. Armour SC:** It does not surprise me that the hon. Member is as narrow as he is in his opposition to the Bill, notwithstanding the fact that he supports that idea, because in that other place I have heard those equally narrow arguments against the idea of the Caribbean Court of Justice becoming our apex court. It is not the right time, is the mantra. Well, it will never be the right time, because the right time is now.

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

**Sen. The Hon. R. Armour SC:** Mr. Deputy Speaker, the concept of Caribbean community speaks to our history, our present and our destiny. It speaks to who we are. If I can trouble this House with a little reference to one of the decisions of the Caribbean Court of Justice, to help us to appreciate what free movement across the Caribbean is all about, the Shanique Myrie decision of 2013 of the Caribbean Court of Justice in its original jurisdiction.

May I assist the Member for Naparima to appreciate that that court has two jurisdictions. An original jurisdiction, which gives it the jurisdiction to interpret and pronounce on the Revised Treaty of Chaguaramas, and the provisions as though that Treaty binds us all as Members of Caricom, and there is the appellate jurisdiction, which we have not yet acceded to in breach of the Treaty which we signed when Mr. Panday signed on to the agreement.

Shanique Myrie was a dispute brought by a Jamaican national who had
entered Barbados. She was subjected by border officials in Barbados to very serious breaches of her right to free movement under Article 45 of the Revised Treaty of Chaguaramas, and the decisions of the Conference Heads of Government at their 28th meeting. She was subjected to body cavity searches by the immigration officials of Barbados. She was singled out and treated less favourably than other nationals based on the fact that she was a Jamaican. The xenophobia that we have heard about today was being visited on this young lady from Jamaica by Barbadian immigration officials.

She went to court, the Caribbean Court of Justice, to ask for a vindication of her most fundamental Caribbean right, that is to say, the right of freedom of movement across this Caribbean space, and this is one of the many things that the Caribbean Court of Justice said. It explained that the right of definite entry conferred by the 2000 conference decisions entails the right of community nationals to have unrestricted access to and movement within the jurisdiction of the Member States, subject to public interest considerations.

So if the Member had taken a little time to remind himself of the existence of the Caribbean Court of Justice and that decision, he would know, not only that we have a court that affirms the legislative intention that we are seeking for this House to pass, but he would also appreciate that it is not a free for all. When he said, “What are the border controls?” he spoke of his fears of criminals coming in here. He asked, what is the jurisdiction of the CSME registrar to manage people when they arrive here?

He would appreciate that the language of the Caribbean Court of Justice reminds us that, not only with respect to skilled movement of nationals across the Caribbean do we have the CSME register, but we also have the courts of this country. That is to say, Trinidad and Tobago, the Caribbean Court of Justice that
will regulate those rights.

There is another case that has come out of the Caribbean Court of Justice that I would wish to remind the Member for Naparima of, because he might have thought, though he did not articulate it, that in the influx of the criminals and other persons who would come here to deprive us of our legitimate space, he might have thought well also we should keep homosexuals out of Trinidad and Tobago. There is the case of Tomlinson, which went to the Caribbean Court of Justice. Tomlinson is a very significant decision, because what the Caribbean Court of Justice has told us, and the State of Trinidad and Tobago has affirmed, is, in spite of the fact that section 8 of the Immigration Act of this country proscribes the entry of homosexuals and persons who live off their means, the court affirmed Mr. Tomlinson’s right as a homosexual to enter Trinidad and Tobago. To its credit, the Government of Trinidad and Tobago, which was a party to the action, did not resist the right of Mr. Tomlinson, a homosexual, notwithstanding the provisions of section 8 of the Immigration Act, freely to enter Trinidad and Tobago, because he posed no serious threat, public interest threat to anyone in this country.

The regulatory framework is already prescribed for, Mr. Deputy Speaker, in the legislation which we are asking this honourable House to pass here. So we are reminded with respect to clause 7 of the Bill, that clause 7 will repeal parts of section 5, and in that repeal it says that:

“(2) The Minister with responsibility for immigration may revoke the permission granted under this Act where—

(a) that person is the subject of...”—a deportation order—

“(b) that person is deemed a threat to the national security...

(c) that person poses a serious public health threat in Trinidad and Tobago;...”

UNREVISED
So the regulatory control and monitoring is prescribed for in this very Bill that we are seeking to pass here today, without the need for unnecessary xenophobic fears.

Mr. Deputy Speaker, our Caricom reality reminds us that the CSME regime is an arrangement among 12 Caricom Member States. The purpose of creating the CSME was to generate a single enlarged economic space through the removal of restrictions among the Member States, resulting in the free movement of goods, services, persons, capital and technology among Member States on a reciprocal basis, and confers the right of Caricom nationals to establish a business in any participating Caricom Member State. So we are opening the doors and the windows for citizens of this country to move into the larger space, and to take advantage of the opportunities. The hon. Prime Minister today in his response, in his statement, said it far better than I can, so I will not dwell on that.

Mr. Deputy Speaker, it leaves me therefore, as I close, to say that on behalf of this Government I am proud to entirely support the vision of this Government to promote this particular piece of legislation.

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

**Sen. The Hon. R. Armour SC:** We cannot continue to believe, as those on the other side seem to believe, that we can turn our backs on our Caricom neighbours, the investment opportunities, the trade opportunities, the free movement opportunities that are available to our people, and expect that we will survive in this very difficult world.

May I, with your leave, at the risk of allowing myself to be a little personal, may I pay tribute to one of those Trinidad and Tobago nationals who gave reality to the concept of free movement across the Caribbean? Dr. Reginald F. Armour—

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

**Sen. The Hon. R. Armour SC:** —who left Princes Town, not too far away from
Naparima—and if the Member goes across he will see the street named “Amour Street”—left Princes Town and went to Dominica in the 1930s, and has left an indelible contribution—

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

**Sen. The Hon. R. Armour SC:**—of this nation of Trinidad and Tobago across Dominica. So much so that there is now a hospital in Dominica named the Dr. Reginald F. Armour Hospital.

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

**Sen. The Hon. R. Armour SC:** That is the contribution of skilled movement across the Caribbean nation. Mr. Deputy Speaker, thank you very much.

**Hon. Members:** Well said! Well said! [Continuous desk thumping]

**Mr. Deputy Speaker:** I now recognize the Member for Mayaro. You have 30 minutes.

**Mr. Rushton Paray (Mayaro):** Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, thank you for recognizing me, as I join this debate in contributing to my position on the amendments before us today.

Kindly permit me to contextualize the Bill, before I express some concerns that I have in a couple of the clauses before us. But in doing so, after listening to the mover of this amendment, the hon. Minister of Foreign and Caricom Affairs, all I wish to tell the hon. Minister is that I share in his dreams. I share in his wishes for the prosperity of the people of the entire Caribbean. But the legislation which is presented before us today has some flaws which is expected that we as the Opposition must bring before this House for consideration.

Mr. Deputy Speaker, the Prime Minister took the opportunity to join in the debate, and for the entire contribution of the hon. Prime Minister, it was clearly an exercise in gaslighting and misinformation.

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

Mr. R. Paray: But I am not too concerned, because I am sure the country would have read through that very easily, and I will say no more on the Prime Minister’s contribution. The speaker before me, the hon. Attorney General, I want to say that I hear you loud and clear, that this legislation is not a one-way street, it is a two-way street indeed, but on this side it is our constitutional responsibility to represent the views of the people of Trinidad and Tobago. Therefore, we on this side must give a voice to our citizens and their legitimate concerns of the legislation before us.

Hon. Members: [Desk thumping]

Mr. R. Paray: In no way, Mr. Deputy Speaker, can we confuse being patriotic by using this loose term of “xenophobic”, and I will leave that there as well. This Bill appears to be innocuous, procedural, but has far reaching and disturbing implications. This legislation would have the effect of permitting Caricom nationals, who are nominally considered as being skilled, to practice their various professions of craft in Trinidad and Tobago, or more appropriately, to enter Trinidad and Tobago for the express purpose of working in specific identified fields. I want to reject the hon. Minister of Foreign and Caricom Affairs’ position that the UNC is anti-Caricom. That is absolutely untrue.

Hon. Members: [Desk thumping]

Mr. R. Paray: The United National Congress upholds the Treaty of Chaguaramas and the CSME as vital pillars in establishing regional, economic and social development and unity.

Hon. Members: [Desk thumping]

Mr. R. Paray: We on this side also see both institutions as essential cornerstones towards tangible Caribbean nationhood and togetherness. As Prime Minister, the
Mr. Paray (cont’d)

Member for Siparia, hon. Kamla Persad-Bissessar SC, advocated and supported these institutions and their measures, and has a proud and enduring track record on those matters.

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

**Mr. R. Paray:** I assure this honourable House that all of us on this side, including the Member for Fyzabad, is in full support of Caricom and Caribbean integration.

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

**Mr. R. Paray:** What we are not in support of is shoddy legislation.

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

**Mr. R. Paray:** We on this side wholeheartedly endorse the free movement of people, including workers, throughout the Caribbean region. We are, indeed, our brothers’ keepers, but every step in bilateral and multilateral relations must carefully consider the domestic circumstance that would be impacted. We cannot negate that. That is especially important when the host society is undergoing economic and social convulsions, as is currently the case here in Trinidad and Tobago. You cannot deny that, Mr. Deputy Speaker.

In this respect, the Government is seeking through this Bill to widen the door for more Caricom workers. Nothing is wrong with that, but they are doing it without an appropriate evaluation of the current labour market. Mr. Deputy Speaker, this Bill should have been preceded by a national manpower audit to identify our skills gap to determine fields in which we are over supplied.

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

**Mr. Al-Rawi:** Mr. Deputy Speaker, I rise on 55(1)(b). Again manpower, data, et cetera. Naparima et cetera, many others have—55(1) (b).

**Mr. Deputy Speaker:** Again Member, tie in the point quickly.

**Mr. R. Paray:** Sure. Suffice to say, Mr. Deputy Speaker, in the presentation of the
hon. Minister of Foreign and Caricom Affairs, he did indicate that some sort of report was done. However, in my research in preparing for this debate, I am yet to find such report in the public space, and I am hoping in the wrap-up hon. Member can identify or point us in the right direction.

5.30 p.m.

Mr. Deputy Speaker, in an evolving global labour market there will be need for new skills to pioneer emerging industries, especially in ICT and other technology-driven areas. Mr. Deputy Speaker, in the private sector this exercise of determining these areas, it is really a human resource evaluation which I have not been able to get any research information on that this was done prior to this Bill.

Mr. Deputy Speaker, the Bill has been introduced at a time in Trinidad and Tobago where our labour market is in the midst of its worst economic and social turmoil since the 1980s. The unemployment figure is estimated anecdotally at over 100,000 persons when you look at data from the NIB office and so, in terms of the amount of contributions that have been reduced over the last couple of years.

Mr. Deputy Speaker, the country, the Government has not presented to this Parliament the correct number of people on the breadline for many, many years. There is information scattered all over the place but this is a reason because they have failed to deliver on an election 2015 promise to modernize the CSO. That has not been done up to today, Mr. Deputy Speaker, so we are dealing with a lot of information that is outside there that may or may not be accurate in making proper decisions going forward. Sometimes I feel, Mr. Deputy Speaker, that the Government feels mortally afraid to officially reveal the true joblessness figures in this country.

Mr. Deputy Speaker, whether we are sending home workers in any industry—lately we have been advising of the sending home of a lot of workers in
the telecom sector. Then you have the coalition of regional chambers had advised that over—

**Mr. Al-Rawi:** Mr. Deputy Speaker, I rise on Standing Order 48(1), please, in line with the Speaker’s current rulings.

**Mr. Deputy Speaker:** Again, hon. Member, move onto your other point, please.

**Mr. R. Paray:** Sure. Thank you. So, there have been several wide areas of unemployment in this country. The overall declining economy is also taking a toll from all sectors. Even our artistes have been unable to secure jobs, Mr. Deputy Speaker. Mr. Deputy Speaker, we cannot deny the fact that the environment, in analyzing the work opportunities, it is being challenged with figures of migrants that are already in the system that is really creating a fuzzy look at the labour market. And that is something that the Government ought to be looking at in terms of getting legislation right, in terms of getting this Bill, this amendment correct.

Mr. Deputy Speaker, there is also the undeniable fact that under this administration our labour laws have not been modernized to properly be enforced in many cases. The last time there was an overhaul of the labour laws—

**Mr. Al-Rawi:** Mr. Deputy Speaker, again, I rise on Standing Order 48(1), please. We are not debating the labour laws.

**Mr. Deputy Speaker:** Okay. So, Member, tie in the point quickly.

**Mr. R. Paray:** Sure.

**Mr. Deputy Speaker:** Let me see where you are heading to.

**Mr. R. Paray:** Sure.

**Mr. Deputy Speaker:** Right.

**Mr. R. Paray:** If we are bringing additional labour into this country, as with all our citizens, our labour laws must be modernized—

**Hon. Members:** [Desk thumping]
Mr. R. Paray:—to protect our brothers and sisters coming into the labour market. My position is, Mr. Deputy Speaker, we have not touched it years and it has not been addressed before, during or, I hope, after this legislation is passed. And I leave that point there, Mr. Deputy Speaker.

Mr. Deputy Speaker, when you look lately at some areas where there are deficiencies in the labour market, the OSHA unit of this country lamented a shortage of staff. Perhaps those are areas that—

Mr. Deyalsingh: Mr. Deputy Speaker—

Mr. R. Paray:—ought to be looking—

Mr. Deyalsingh: Standing Order 48(1), please.

Hon. Member: Come “nah”, Rushton.

Hon. Members: [Crosstalk]

Mr. Deyalsingh: It has nothing to do with OSHA—[Inaudible].

Mr. Deputy Speaker: Okay. Member, move onto another point, please.

Mr. R. Paray: Sure, Mr. Deputy Speaker. If we are bringing a schedule, as identified in the legislation, and we are putting classifications, one ought to smartly look for persons throughout the Caribbean to fill gaps in agencies and business and industries that have identified shortages. And many of those have done so over the last couple of months, Mr. Deputy Speaker.

Mr. Deputy Speaker, the fact is that this Bill, this amendment, should have been introduced against a backdrop of the current employment circumstances and a skills need in this country.

Mr. Deputy Speaker, I have some questions to ask and I hope that the hon. Minister in his wind up will answer the questions, and this will bring clarity to not only myself but my colleagues and perhaps the wider national community and will give the support to the hon. Minister and his Government if the questions that I
have are answered. Are we just opening the doors in order to meet a CSME requirement, not taking into consideration some of the issues that have been brought up by my colleagues that could lead to some chaos, Mr. Deputy Speaker? How would such job seekers get a proper appreciation of the employment opportunities? How could they effectively compare the Trinidad and Tobago job scene with that other Caricom territories, Mr. Deputy Speaker? How can we fill the skills gap if we do not know what they are? Mr. Deputy Speaker, the Government’s response to this issue—

**Hon. Members:** [*Crosstalk*]

**Mr. Deputy Speaker:** Please, Members.

**Mr. R. Paray:** The Government’s response to this issue, as articulated by the hon. Prime Minister, is that this is a measure required in order to deliver on CSME obligations. Now, Mr. Deputy Speaker, in its characteristically simplistic manner the Government will continue to criticize the Opposition for performing its constitutional mandate—

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

**Mr. R. Paray:**—of looking at legislation carefully. I have repeated on several occasions, we are not here to rubber stamp legislation but look at it in some details—

**Mr. Al-Rawi:** Mr. Deputy Speaker, I rise respectfully on Standing Order 55(1)(b). The Member is even quoting that he has repeated.

**Mr. Deputy Speaker:** Overruled.

**Mr. R. Paray:** Mr. Deputy Speaker, we on this side will not rubber stamp legislation at all.

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

**Mr. R. Paray:** The approach of this Government, Mr. Deputy Speaker, is short-
sighted, bureaucratic and pays no heed to the people of Trinidad and Tobago, especially displaced workers.

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

**Mr. R. Paray:** This is a sluggish and lazy approach to governance, Mr. Deputy Speaker.

**Mr. Al-Rawi:** Mr. Deputy Speaker—

**Hon. Members:** [Crosstalk]

**Mr. R. Paray:**—and it is especially—

**Mr. Deputy Speaker:** Please, please, Members. One second. One second. Members on both sides of the House, I have made the ruling. Please, Member for Mayaro, proceed.

**Mr. R. Paray:** Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, the passage of this Bill will require an administrative set up as indicated in section 7 with the establishment of the CSME Registrar. The issue here, Mr. Deputy Speaker, is whether the Government is adding to the current red tape in the public sector. And that is an important point. The Prime Minister himself has complained about the pace of work in the public sector. We repeatedly see evidence of such red tape, Mr. Deputy Speaker. For example, just recently, the head of a technology company called WiPay has moved headquarters to Jamaica because he complained of government bureaucracy. The measurable benchmarks are very, I mean, appalling, Mr. Deputy Speaker.

The hon. Minister of Foreign and Caricom Affairs spoke to the online and the digitalization of the system. But it seems like our digitalization progress is being hampered by the very same bureaucracy that it is trying to entangle, Mr. Deputy Speaker.

So, when section 7 calls for a registrar to provide relevant services, my
wonder is about the expected efficiency of the process. And perhaps in the wind-up
the Minister will give us the assurance that we are well on our way to get that
going in an efficient manner so our brothers and sisters who wish to enter Trinidad
and Tobago will have the assurance that all the parameters that are set out will be
delivered and they will not be disappointed.

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

**Mr. R. Paray:** Mr. Deputy Speaker, would CSME Registrar fall victim to the very
same public sector mode which we gripe so often about? These are legitimate
concerns, Mr. Deputy Speaker.

Mr. Deputy Speaker, are new public officers going to be employed in this
registrar or, if not, would current public officers be transferred to this registrar?
Are we asking them to double up on the work that they have been doing? Would
there be need for specific training or retraining of these officers in dealing with
these matters? Is the PSA, the union representing public officers, being consulted
on this matter?

Mr. Deputy Speaker, I will now like to examine a couple clauses and the
Schedule. The new clause 5 obligates the Minister to respond within 14 days of
receiving an application. It once more raises my concern of efficiency, bearing in
mind that the Government’s overall tardiness and the public service—[Inaudible].
Critical items as mentioned by the hon. Prime Minister as well that work permits
are turning to “anchar” sitting on the desk of the Member for Laventille West. I
have several complaints from folks in the energy sector that work permits are
sitting at the Minister’s desk and they are getting no response. Now, we put this in
terms of what we want at the CSME Registrar. Are we going to get the same
problems, Mr. Deputy Speaker? And these are legitimate concerns.

Mr. Deputy Speaker, allow me a couple of minutes just to examine Schedule
III alongside with clause 12(2) which gives the relevant Minister the authority through a negative resolution of Parliament to alter the classes of workers who could enter the local market. The initial question that I have, Mr. Deputy Speaker, is how did the Government determine the types of workers that became listed in Schedule III? Were they imposed by the CSME secretariat? Was Trinidad and Tobago part of the process in selecting these work categories? All the Minister has to do is in the wind up say, “Well, yes, we did, and we played an active role,” and I will be satisfied with that.

Madam Speaker—Mr. Deputy Speaker, sorry, in looking at the classifications, one jumped out at me that I have to raise, the issue of security guards. Mr. Deputy Speaker, there is an abundance of the security guards within our local market here. Why—I mean, at the end of the day, when you have an oversupply in this area, it is going to continue to force wages down, persons who are struggling will be force to take lower wages. Some companies may even wish to break the law. And, I mean, some of our nationals and even our brothers across the islands may have no choice than accept lower wages and put them in problems, Mr. Deputy Speaker. These are legitimate concerns.

Mr. Deputy Speaker, exploitation is something that I have a serious concern about and I trust that the Government, in penning this legislation, took this issue of exploitation to be real. And all the necessary parameters and mechanisms will ensure that our brothers and sisters across in the Caribbean are not exploited at the end of the day.

Mr. Deputy Speaker, the Schedule paves the way for someone who holds an associate degree or an equivalent to work in a country. The question I have is: Would all such associate degree holders qualify? How many jobs are we looking at in general, Mr. Deputy Speaker? And I just want to make a little example. Are
there opportunities in Trinidad and Tobago for 2,000 tailors, barbers and dress designers with associate degrees if they turn up looking for jobs? Mr. Deputy Speaker, there is no definition of an artiste in the Schedule. I am asking: If anyone who can recite a poem or play a mouth organ, would they be qualified to enter the country to assimilate into our society? These are legitimate questions, Mr. Deputy Speaker, and that is the reality of the legislation as well.

The Schedule also allows entry for a sportsperson. Mr. Deputy Speaker, what is a sportsperson? Are his or her labour skills—would such an applicant be permitted to serve in a sporting discipline such as a trainer or coach? If so, why is that not stipulated in the legislation?

Mr. Deputy Speaker, in a country where the Government has paid little attention to agriculture, hence our $6 billion food import bill, we are welcoming people who would identify themselves as agricultural workers. I have no problem there. But, Mr. Deputy Speaker, where would these agricultural workers get jobs? The latest data from the University of the West Indies indicates that we are about 97 per cent saturated because of the existing migration issues in the agricultural labour market. But how do we fix that? Has the Government put any thought into new and—

Dr. Browne: Mr. Deputy Speaker, would the Member be willing to give way? I am asking.

Mr. R. Paray: Sure.

Dr. Browne: I just want to—thank you, Member, for giving way. I just want to draw the Member’s attention to Part A of Schedule section 6(1) which should make it clear that agricultural workers are not before us at this time. Those additional two categories that he is spending time on, security guards and agricultural workers, are not really before us at this time. So, it might help with his
efficiency of his contribution.

**Mr. Hinds:** “Well putted. Well putted.”

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

**Mr. R. Paray:** Thank you very much, Minister.

**Hon. Member:** Well said.

**Mr. Deyalsingh:** It was very diplomatic of you.

**Mr. Deputy Speaker:** All right. So clarified, Member? Right. Okay.

**Mr. R. Paray:** Thank you very much, hon. Minister.

**Mr. Deputy Speaker:** So, we can move on to—[*Inaudible*]

**Mr. R. Paray:** But it forms part of the legislation and we are not here to just read parts of it. We are here to read it in a whole because the entire piece of legislation will affect the operationalization of the entire Bill. But thank you very much for the clarification.

Mr. Deputy Speaker, I want to say that in my respectful view the entire Schedule is a cook-up for confusion and in some areas it creates a stew of senselessness on my part, Mr. Deputy Speaker. Mr. Deputy Speaker, there is very little rhyme or reason. If you take some of the operationalization of some pieces of the legislation, it just does not make sense and I do not think it is going to accomplish what the hon. Minister is setting out to do, Mr. Deputy Speaker.

Mr. Deputy Speaker, I want to turn quickly in the couple minutes that I have left about—the Minister brought up the conversation that there is some imagination in the view of some people in this country that bringing our Caricom nationals into Trinidad and Tobago will somehow create an opportunity for voter padding and suggest that it was pure fiction in the imagination of the people here.

But, Mr. Deputy Speaker, in researching for this debate and reviewing the contribution of the hon. Minister in the other place, it led me to a book by Prof.
Selwyn Ryan entitled, *Race and Nationalism in Trinidad and Tobago* in which he said in a footnote:

> An influx from the small islands helped the PNM to capture the general election in 1961.

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

**Mr. R. Paray:** All I want to know, Mr. Deputy Speaker—and I wonder if Prof. Ryan imagined this in his writing. Mr. Deputy Speaker, upon his passing in March, the hon. Prime Minister who attended his funeral at the church service of Prof. Ryan, the Prime Minister said that Dr. Ryan taught Trinidad and Tobago about itself. I am asking the question: Was Prof. Ryan imagining all of this?

He also went onto say, as a UWI researcher, he brought dignity and relevance to research. My question is: Was Prof. Ryan being irrelevant and undignified? That is all. So, if the hon. Minister feels that it is in some persons’ imagination, all I can say, refer to Prof. Ryan and his research and his writing and that should answer that question.

So, Mr. Deputy Speaker, in closing, at best, my view is that the Bill is weak. It is poorly crafted. At worst, it is a bit treacherous and, I guess, insidious in some cases. Either way, Mr. Deputy Speaker, we feel that it is bad law and it should be revisited.

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

**Mr. R. Paray:** Mr. Deputy Speaker, our country could be best of assistance to the rest of region by doing what is appropriate, first for our nationals and then for the rest of Caricom, and I will tell you why. When you sit on a plane, Mr. Deputy Speaker, and the cabin crew does the safety briefing and they say, “In the event that you lose oxygen, put on your mask first.”

**Mr. Deputy Speaker:** One more minute, Member.
Mr. R. Paray: Thank you, Mr. Deputy Speaker. She says or he says, “Put on your mask first and then look at the person next to you,” and there is a reason for that. If we do not strengthen ourselves and our economy and our people, how are we going to help our neighbours when they come in?

Hon. Members: [Desk thumping]

Mr. R. Paray: How are we going to create new business and new industries for when they come here so that we could support them, Mr. Deputy Speaker? Mr. Deputy Speaker, if the Government insists on the passage of this Bill in its current form, we in the Opposition will continue to talk, to communicate about the weaknesses in the legislation, to advise and to make sure that the people of this country understand what we are doing. So, we advise the Government to proceed cautiously and appropriately. We support Caricom integration but we ask you to revisit some of the weak areas of the Bill, Mr. Deputy Speaker. I thank you.

Mr. Deputy Speaker: I recognize the Member for Laventille West.

Hon. Members: [Desk thumping]

Mr. Deputy Speaker: And you have 30 minutes, Member.

The Minister of National Security (Hon. Fitzgerald Hinds): Thank you very much, Mr. Deputy Speaker, for your recognition. Mr. Deputy Speaker, the Member for Mayaro concluded his contribution with a metaphor of sorts, trying to tell us that in the context of the aircraft one is advised to put on your mask first and then look out for your neighbour. Went on to say, in rather pedestrian fashion I might add, that if you do not help yourself you will not be able to help your neighbour. Mr. Deputy Speaker, my understanding of the measure before us is precisely that. The measures before us allow us to act in concert as Caricom, more deeply integrated, cooperating with each other, sharing resources with each other, exchanging human resource assets among each other. That way we are actually
helping each other for all of our collective sakes. So, I must suggest that the Member for Mayaro just does not seem to get it right but I am not surprised.

He also asked, the Member also asked, how many jobs—when you allow people from the region to come in, our brothers and sisters from the Caribbean to come in, how many jobs do you have available for them? The very reason why we are working through these measures is to create a bigger market than the 1.4 that is Trinidad and Tobago or the 3 million that is Jamaica. We put them altogether and you have a larger Caribbean, a bigger market, creating more opportunities for all of us. And it is the movement of the people around that larger market that matters. That is the aspiration. And the Member for Mayaro is no idiot, you know.

Mr. Deputy Speaker: No. Member, no.

Hon. F. Hinds: The Member for Mayaro is no idiot.

Mr. Deputy Speaker: Please. I will prefer to—retract the term.

Hon. F. Hinds: He is no fool.

Mr. Deputy Speaker: No. Retract first and then you can proceed.

Hon. F. Hinds: All right, Mr. Deputy Speaker. I withdraw that. I really—I withdraw that. But the Member for Mayaro is not without a basic understanding of these simple matters, you know. It is just that he is a UNC.

Hon. Members: [Laughter]

Hon. F. Hinds: The Member makes fleeting reference to some company called WiPay and tells us, you know, from this Parliament floor that just so WiPay “leave and gone” to Jamaica without getting all of the facts. He just read that in the newspaper and makes a major submission on that point without an understanding of all of the facts, probably never spoke to the people who manage WiPay. And, of course, certainly did not hear those who are responsible for the trade and economic platform in Trinidad and Tobago but he jumps to a conclusion.
Equally, digitization, saying that digitization process has stumbled in Trinidad and Tobago. Every single—in fact, we have established a Ministry of Digital Transformation led by a very capable Minister Bacchus with a serious background in information technology and an understanding of what the process requires. And every single Ministry in this platform has a programme now for digitization. The Registrar General of the Attorney General’s department and many others, fully digitized. The Immigration Division, machine readable passports. People are now able to make appointments online and in 30 minutes, 20 minutes come for their passport and leave with it. These things are happening in Trinidad and Tobago. But yet, the Member for Mayaro, very glibly, makes those kinds of comments to mislead people in this country. And we are as Government pushing the whole idea of digitization for the benefits of efficiency and savings in the long term and all the goods that go with it, Mr. Deputy Speaker.

Citizens will tell you, you can walk into the Registrar General’s office now and in 15 minutes you leave with your death certificate, your marriage certificate, your birth certificate and such likes. And then, worse still, I am the Minister of National Security, administering on behalf of the Government and people of this country the issuance of work permits as Minister of National Security and I can tell you we have no issue. We have a committee that looks at it in quick order. Every day I am signing files, granting work permits, granting Ministers’ permits, dealing with them as we go along. There is no problem. I mean, not everyone will be altogether happy but in the main it is not an issue. We have workers from all over the world here working now, including 16,000 or so Venezuelans. Every one of them has a work permit.

So, I simply wanted to tell the Member for Mayaro, do not be so reckless. And it slipped me, before I go quickly, during the COVID—the heights of COVID
issue, we had to implement border protection measures and introduce a travel pass in quick time. People from all over the world were able to upload information, provide Advance Passenger Information and they had their business sorted out. Arrived in Trinidad and Tobago, go through our port health facility and off they went, in and out. We did about 30,000 people coming in and about 30,000 people going out.

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

**Hon. F. Hinds:** And the Member was so devoid of shame—I cannot say shameless—so devoid of shame, Mr. Deputy Speaker, talks about security guards. It took the mover of this Bill, the man who piloted the Bill our—and by the way, let me welcome the Minister of Foreign and Caricom Affairs to this Chamber, please.

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

**Hon. F. Hinds:** I was proud to listen to my friend, no stranger to this place but now sits in another place, came here today and did a magnificent job in piloting these measures—

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

**Hon. F. Hinds:**—ably supported by the Attorney General who gave a very personal example of the movement of Caribbean people and the legacy that we have left in that context. And as a PNM member I was very of my two colleagues today and I remain proud. Well done. But the Member for Mayaro talked about private security and it was the Member, the Minister who got up and told him, you know, that we are not dealing with security today, security office guards and we are not dealing with agricultural workers.

We are dealing with sportsmen and domestic workers, and musicians, and such like, and other qualification, or qualified people in accordance with the Bill and the
Immigration Nationals (Amdt.) Bill, 2022

Hon. F. Hinds (cont’d)

law.

6.00 p.m.

But, Mr. Deputy Speaker, he spoke—the Member for Mayaro spoke about exploitation and whether security guards are being exploited, completely forgetting that I piloted in this House, for the consideration of my friends on the other side, a Private Security Industry Bill. It went to a joint select committee. The Member for Pointe-a-Pierre was there. We sat for months upon it, looking at ways to improve the lot of security guards to ensure that their employers satisfied statutory requirements, paid the NIS, paid them proper salaries, that they would be uniformed, that they would be trained and they would not be exploited. After going through all of that in the Joint Select Committee, when we brought it back to this House. The UNC objected to it, Mr. Deputy Speaker. That is why I say, it is only the UNC. And then the Member for Mayaro comes here today, oblivious or pretending to be oblivious about that, and pretends that he is concerned about security guards. They are, if I can quote George Chambers, they are too wicked.

Let me quote, very quickly, the Prime Minister of St. Vincent and the Grenadines speaking on this matter of regional integration. And I recalled the Member for Naparima beginning his contribution by telling us today, you know, that the Bill is a good one but it is the wrong time. The Member for Mayaro tells us nothing is—well, the Bill is bad. And you could see in their duplicity on this matter, Mr. Deputy Speaker, that they are looking for pegs to hang their hats on. They are looking for faults as always. They are not sure what they will argue. They just do not want to support it. And I know why.

But listen to the Prime Minister of St. Vincent and the Grenadines, and I quote:

“…‘pausing’…”

UNREVISSED
This is not the right time? Hear him:

“...‘pausing’ is but a euphemism for standing still, which in a dynamic world is sliding backwards.”

Former Prime Minister Owen Arthur says:

“In a word, the region faces the spectre of becoming a ‘failed society’. It is a challenge...”—that—“makes it imperative that we strengthen every facet of our integration movement and move to a more perfect union.”

Former Prime Minister Kenny Anthony says:

“The Caribbean is and has been for too long stalled at the cross-roars of indecision, stalled for so long that we are in danger of becoming anachroistic...Quo vadis? Where are we going?...How do we get there? Clearly we cannot stand still...Time, I say, is verily upon us!”

And yet the Member for Naparima tells us, this is good but it is the wrong time.

And PJ Patterson, shortly before he demitted that office of Jamaica, tells us:

“Let me make it clear...”—urgent steps are—“required to rescue CARICOM, or else life...”—of course—“may come too late to prevent”—permanent— coma.”

All quotations from the wise who lead and led us, Mr. Deputy Speaker.

And I am proud that the Member, the Minister of Foreign and Caricom Affairs, would have brought this—these measures for our contemplation. The law, of course, being organic, amorphous even. The amendments we have today, Mr. Deputy Speaker, reflects changes in expectations on behalf of Caribbean people, changes in our social trends, the fulfilment of our aspirations as a Caribbean people but a history of conquest. People came from other lands and conquered these lands, annihilated the indigenous people. And then we went into some years, about almost 500 years of slavery, followed by periods of indentureship and out of that
came the beauty that we have to protect today as Caribbean people. Whether your name is Shushilla, or whether your name is Charmaine, or Gregory, the bottom line is we are all people, human people, living in this space, in this time and these measures are designed, Mr. Deputy Speaker, to bring us closer together and to make a path for each other.

That slavery and indentureship, of course, was followed by a period of colonialism. And then we moved to independence, and now we are striving with Caricom and the integration movement in the region to interdependence where we work with each other, Mr. Deputy Speaker, for the greater benefit of all of us.

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

**Hon. F. Hinds:** That is what we do. So, it is a movement from dependence to independence and now we move on to interdependence. And the Minister today brought a measure to concretize and to advance the process of interdependence. It is about development and growth, and the human resource of the Caribbean of this part of world is critical to it. And, of course, the Minister of Foreign and Caricom Affairs is with us because when Minister is mentioned in this law, it is to him we look.

And this is an amendment to the Immigration (Caribbean Community Skills Nationals) Act, which was described as and still is an Act to remove the restrictions on entry into Trinidad and Tobago of skilled nationals of qualifying Caribbean countries. And these countries, just for the benefit, not my friends here, you know, for who is who do not know, or listening to this debate, it is Trinidad and Tobago, Suriname, St. Vincent and the Grenadines, St. Lucia, St. Christopher and Nevis, Montserrat, Jamaica, Haiti— Haiti, a country that troubles my heart. But among the qualifying community States, Guyana, Grenada, Dominica, Belize, Barbados, Antigua and Barbuda. All of us in a world that does not need islands no
more. So, we have to integrate ourselves in order to become stronger, as these former Prime Ministers suggested, and we have to do it in quick time.

Some of my colleagues already went through the question of what the qualifications are: university degrees—

“(b) a degree of Doctorandus, Meester…”—a—“Doctor of the University of Suriname…

(c) any University degree which is recommended by the University of the West Indies…”

And so the list is quite clear in section 8(1) of the parent law, Mr. Deputy Speaker. We have no trouble with that.

And then, of course, you will recall, we amended it, and we put in a new 9A and we did that in 2005. Because when this parent law was born or established, it was Act 26 of 1996, as far back as that. We are now in 2022. We amended it in 2001, in 2003 and 2005. And it was in 2005, that in a new section 9A we introduced the artiste; very important because we have a lot of talent all around us. And as I said earlier, when you enlarge the market, they have bigger audiences to play to all over the place.

Only recently I listened to a concert put on by the Mighty Sparrow, that great son of the region, born in Grenada, spent all of his life in Trinidad and Tobago, gave a great name and a great showing to all of us in the region through the art of calypso. And when I watched that show with Sparrow recently, I thought of Bob Marley, another great, Mr. Deputy Speaker, and I wondered if in their heyday some promoter had put on a concert with Bob Marley and Sparrow together and took it to every island of the Caribbean over a six-month or maybe a one-year period, what a great and mightiful show that would have been.

So, we put in the new section 9A, “artiste”. And that is very important to
Immigration Nationals (Amdt.) Bill, 2022

Hon. F. Hinds (cont’d)

every one of them. So, when my friend from Naparima and my friend for Mayaro speak in the way they speak—and, Mr. Deputy Speaker, their conduct is not new, you know. When Dr. Williams led this country back in the 1950’s and ’60s, and our brothers and sisters of the region, struggling from their islands as we struggled in Trinidad—Trinidad and Tobago had a little more than they had—and they came here in droves, some people in this country opposed that. And to this day, 50 years later said Dr. Williams was encouraging them here for votes and now we know a lot of that was based on ignorance and racism. And I am pained to know that there are still those in the society today who try to disguise that underpinning of racial considerations and speak in politically correct terms trying to disguise that their concern is about race and discrimination against people. So, listen carefully when people in this country speak, Mr. Deputy Speaker—

Mr. Lee: Mr. Deputy Speaker—

Hon. F. Hinds:—you do not have to listen too hard.

Mr. Lee: I ask my friend to help—[Inaudible]—48(1). I am trying to—

Hon. F. Hinds: I am responding to—

Mr. Deputy Speaker: Just tie in the point there.

Hon. F. Hinds: Yes. Thank you very much. In the new 9A—and they do not want to hear you talk about race. In the new 9A, we introduced the musician as well, the sportsperson. Imagine I heard the Member for Mayaro asking, who is a sportsperson? I have an answer for that, you know, but not now, another time, another place—and media workers. Some of the outstanding journalists—I remember we had a journalist on TV6, the media man in the morning with TV6, they chased him out of here. What was his name?


Hon. F. Hinds: Julian Rogers, they chased him out. We have had many others
who have come from around the region. You know who they welcomed? Anyway, let me leave that.

**Hon. Members:** [Laughter]

**Hon. F. Hinds:** Let me leave that. And then you hear whispers in this debate. The Member for Mayaro, Mr. Deputy Speaker, ended up his contribution by warning us that there is an element of voter padding in this. Let me remind Trinidad and Tobago, the party and the government that introduced voter padding in Trinidad and Tobago was the UNC.

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

**Hon. Member:** [Inaudible]—that was the case.

**Mr. Lee:** Mr. Deputy Speaker, 48(6), please.

**Hon. F. Hinds:** I am responding to Mayaro.

**Mr. Deputy Speaker:** Tie in point quickly.

**Hon. F. Hinds:** “Ah tying it in to Mayaro.”

**Hon. Members:** [Laughter]

**Hon. F. Hinds:** He warned us about voter padding.

**Mr. Deputy Speaker:** Member—hon. Member.

**Hon. F. Hinds:** Thank you very much. And, Mr. Deputy Speaker, they have been talking that language for years; for years. Today we hosted 16,500 Venezuelans, who we opened our doors to when they experienced their social and other turmoil in their land. Longstanding friend, we opened our doors. And not only did we open our doors to them, you know, we said all who was already here illegally, and not only Venezuelans, every human being who was in Trinidad and Tobago at the time we made the call and advertised it in all kinds of languages, come hither, let yourselves be known, we will register you, we will protect you, we will give you a work permit. We did that; 16,500 “ah dem” come. And, Mr. Deputy Speaker, I
have no statistics to support this but anecdotally, as a man, as a MP, as an observer in this country, every one “ah dem” who is here they have a job, “in carwash, in supermarket, in bar, all ah dem, dey have ah job.”

And the Member for Mayaro wondering if the jobs are available and pretending to be concerned about local jobs. Well, the jobs are available. And I say to the young people of Trinidad and Tobago, not only unskilled jobs, but we have established three universities. At independence we had one. Today we now have the UTT and the USC, the University of the Southern Caribbean. Today with GATE, today with access on the Internet, you can get a degree from universities all around the globe. And I call on the young people of Trinidad and Tobago to make use of those opportunities. But if you do not, if you choose to slip and slide, and you choose to waste time and be idle and not make good use of God’s time and the resources that the creator gave to you, and other people are going to come and take your job, well then, that is your choice. But the opportunity is not denied of you.

And I am not only talking academics. We have many youth programmes here, exposing our youths to all kinds of vocational training. The Member for Pointe-a-Pierre talked about CVQ. We did that. In Ministry of Youth Development now we are continuing to do that. But again, we are creating a larger market so that there could be more breezy flow and everyone can get a stake in the Caribbean economy. That is what this is all about.

And insofar as Venezuelans coming in here, our policy is very clear. And not only for Venezuelans, Caricom people as well, citizens as well. It is very, very easy and clear. We try to create conditions and help each other to create conditions. And recently the Prime Minister went to Guyana and there was a lot of talk and a lot noise about problems with Guyana. I heard some of my friends on the other side but the dignified Prime Minister walked into Guyana with the truth and a
strong history behind him, and he met with President Ali and others, and now you would not hear a squeak from my friends on the other side because dignity prevailed.

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

**Hon. F. Hinds:** These mental saboteurs, wanting to see only that which is bad, devious even, unprincipled. So, the philosophy is we open the doors and we try to create conditions in all of the qualifying states, as I have just listed them, Mr. Deputy Speaker, and I do not have to list them again, so that the conditions will be right for our citizens to stay wherever they are. But if for any reason they move, when they come into our borders they must be protected and respected. That is what we did with the Venezuelans, that is what we offered to all, even our Caricom citizens. And we have done that now for 50 years, barred the criticism from our unprincipled political opponents.

And we go further, we say, if per chance you leave your place and you come, you must be respected and protected and given equal opportunity, and this is what this Bill is all about. But we also say, those who do not deserve our protection should be repatriated, and that is what we are doing. If you come and commit crime, if you have failed to register, those are the things we are up to, Mr. Deputy Speaker. Mr. Deputy Speaker, that is how we are doing it.

Let me take a quick look and share with you some statistics in respect of some of the movement of our people, and the Member for Mayaro spoke about work permits. Well, I have a little statistics here about work permit exemptions for skilled Caricom nationals, which is exactly what this is dealing with, as we extend the categories. And this is between 2011 and 2022, a span of 10, almost 11 years. In 2011, 122 such exemptions, Guyana being the highest with 31; in 2012, 163; in 2013, 282; in 2014, a 150; and so the story goes. In 2021, 40 of them, work permit
exemptions for skilled Caricom nationals. And year to date, as at the end of May, 29 of them.

So, all through the years, Mr. Deputy Speaker, we have been giving exemptions to those who are skilled in accordance with this law so that they can work and earn their keep in Trinidad and Tobago. And as well, we grant resident status to a number of Caricom nationals between the same period and in 2011, 212 of them; in 2012, 294; in 2013, 351. And let me skip, in 2020, 285; in 2021, 107 because the economy shut down and everybody stayed home during those COVID years. And, of course, as at year to date, as at the end of May, 30 Caricom nationals who we would have granted resident status.

So, they would have come, they would have worked and they would have fallen in love with Trinidad and Tobago, as Trinbagonians would have gone to another island and fallen in love with it like my friend, the Attorney General’s father. And he went to Dominica to work and he even had offspring there. How beautiful, and left a strong and a proud legacy. And today one of those is the Attorney General of the Republic of Trinidad and Tobago.

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

**Hon. F. Hinds:** And similarly, we have denied entry to some because not all are wholesome, not all meet the Bill, so we have statistics as well as to those who would have been denied entry. Mr. Deputy Speaker, where am I insofar as time is concerned?

**Mr. Deputy Speaker:** You have just have about—just under three minutes.

**Hon. F. Hinds:** I have under three minutes. So, Mr. Deputy Speaker, all together, I see no reason why, other than being a UNC, anyone would want to oppose these measures here today. It is only the UNC could find it in their heart to do that and to try to find all kinds of frivolous reasons to do justify their wickedness.
So, I would like to join my friends on this side in commending these measures to this honourable House, Mr. Deputy Speaker. Time does not permit but I am very much in admiration of the fact that some serious offences as well for fraudulent tendering of documents and so on is made manifest in this. For example, a new section 4B makes it an offence to knowingly misrepresent any information or falsify any document required for the verification process under section 4 of the Act.

Such a person—“…is liable on summary conviction to a fine of one hundred thousand dollars and to imprisonment for five years.”

Quite appropriate because there is no need to falsify a certificate or some kinds of things. The Schedule has all the forms and everything is in place.

So, Mr. Deputy Speaker, with my time spent, I would like to commend these measures to my friends of this House and thank God this does not require a special majority—

Hon. Members: [Desk thumping]

Hon. F. Hinds:—because if it did, good as it is—perhaps because it is good, the UNC would have voted against it. But I still commend it to them for their contemplation and hope that they would put the devil out of their thoughts and support these useful measures for the benefit of the people of the Caribbean. Thank you very much, Mr. Deputy Speaker.

Hon. Members: [Desk thumping]

Hon. Members: [Crosstalk]

Mr. Deputy Speaker: Chief Whip? I recognize the Member for San Fernando West. You have 30 minutes.

The Minister of Rural Development and Local Government (Hon. Faris Al-Rawi): Thank you, Mr. Deputy Speaker. In light of the collapse of the UNC
Immigration Nationals (Amdt.) Bill, 2022

Hon. F. Al-Rawi (cont’d)

bench, I propose to seriously truncate my contribution this afternoon and to just make a few critical observations. I see that the Member for Pointe-a-Pierre is confirming that there are no other speakers for the Opposition.

Mr. Lee: I did not say that.

Hon. F. Al-Rawi: Yes, unfortunately, the debate has collapsed opposite. Mr. Deputy Speaker, permit me to answer without covering any of the ground traversed by my own colleagues, a few points. First of all, I want to say that it was a great pleasure to listen to the Minister of Foreign and Caricom Affairs pilot this legislation—

Hon. Members: [Desk thumping]

Hon. F. Al-Rawi:—and it was equally an extreme privilege to listen to my colleague, the hon. Attorney General—

Hon. Members: [Desk thumping]

Hon. F. Al-Rawi:—demonstrate what Caricom means. May I start off by saying that I wish to give a small personal acknowledgement for something that is not so small. And this is the work done and carried out by the family with the surname Solomon. You see, it is Denis Solomon, it is Sheilah Solomon, it is Elizabeth Solomon, Paul Solomon, and one other sibling who I now am escaped by, it is that family that dedicated a treatise and expertise in local government reform that in fact populate some of the books at my own desk. And in looking at local government reform, I was able to tie that in to the Bill before us here today.

Mr. Lee: Mr. Deputy Speaker, 48(1)—

Hon. F. Al-Rawi: And that specifically is in respect of—

Mr. Lee:—I am trying to understand, Solomon is not in the Bill.

Hon. F. Al-Rawi: Yeah. I am tying it in right now.

Mr. Deputy Speaker: Tie it in.

UNREVISIONED
Hon. F. Al-Rawi: Yes. And I am saying that that comes in when we look to the Schedule of the legislation before us and when we look to the skill sets set out, in particular, in Schedule II and we look to the skill sets that will come and find themselves in Trinidad and Tobago, be it in a six-month participation, as clause 3 suggests, or in an indefinite stay as the amendments to section 4 of the Act suggests, you will understand that the work of people to come and support reform are brought about by opening the doors of Trinidad and Tobago through this legislation.

Very quickly, Mr. Deputy Speaker, I want to say, this law allows for the reciprocity provisions to prevail. And I would just like to remind, as the hon. AG reflected, but I want to go on a slightly different angle, I would like to remind that the Caricom root, that legislation which stands as the law around—which all of this articulates, we are looking effectively at law which encompasses not only this one piece of law, but in fact 21 pieces of law.

The Caribbean Community Chap. 81:11 is an integral part in this. And if I look to the definition section of the legislation before us, that is to be amended by clause 4, section 2, I would like to point out that in answer to the questions coming from the Member for Naparima—Naparima asked a series of questions about whether the exercise of the contingent right by dependents of a principal beneficiary would entitle them to have access to the labour market. And the Member for Naparima chastised the Government and said that he would not support this legislation because he felt that it was poorly drafted.

Mr. Deputy Speaker: Members on the Government side, please—lower tones, please.

Hon. F. Al-Rawi: And in chastising the Government, allegedly, as the hon. Member did, he attempted to point out to what he thought was a glaring issue. He
said, “Look, the law is badly drafted for reason that the law does not speak to what happens with spouses of beneficiaries accessing this right.” But I want to, for the record, point out that clause 4 of the Bill specifically sets out in the new section 2(c) that:

“(a) an unmarried child of a principal beneficiary, including an unmarried child of the spouse of a principal beneficiary…”

—and it goes into positions:

(b)…”—the—“parent of…”—a—“principal beneficiary…"

(c)…other person declared…”

All of these people apart from the spouse are in fact entitled in the law itself to work.

The hon. Member for Naparima went further to say in his version of reality that the law was badly drafted because there was no demonstration as to the payment of NIS. I would like to state, Mr. Deputy Speaker, that again, I condemn the hon. Member for not reading the law because this law articulates with the national insurance scheme, it articulates with the legislation for national insurance and you have to be registered for national insurance if you are working.

Mr. Deputy Speaker, in looking at the claim that Naparima put on the record, that we are opening this door to whomsoever comes and saying that white collar criminals would be permitted entry as opposed to persons who were guilty of smaller offences. Again, I must point out, Mr. Deputy Speaker, that there is a filtration mechanism set out in this law and that is in the amendments to the section 3 and section 4 of the law because permitted entrance are persons specifically not including anybody who is the subject of a deportation order. And under the Immigration Act, Mr. Deputy Speaker, there is an ability to deport persons in all of
the circumstances set out in that law. So, criminals obviously, Mr. Deputy Speaker, would find themselves in that predicament.

Again, in answer to the Member for Naparima, I would like to point out, clause 6 of the law, of the Bill before us, clearly points out that:

“A certificate verified under section 4 shall be deemed to be invalid…”

And it speaks to, if you are found out to have had a criminal offence in the State from which you came, and I stick a pin there.

That criminal offence must include white-collar offences of the type that Naparima complained was not there. It does not say criminal offence in this Bill and it is defined to only that which Naparima puts.

The black and white version on page 7 of the Bill says, “a criminal offence” and, therefore, that includes every criminal offence.

6.30 p.m.

Further, Mr. Deputy Speaker, it goes on in saying that you have a disqualification if it is found out that you have a criminal offence after you obtain the position. So it is ludicrous for the hon. Member to say that the law allows for criminals to enter. It is objectionable for the hon. Member for Naparima to have said in his use of the example of Haiti as being included as a member of Caricom, to suggest that we are just going to receive. According to the UNC’s Opposition Bench today, we are just going to receive criminals in Trinidad and Tobago. Again, I join with the Attorney General’s reflections that that is xenophobia at its best, Mr. Deputy Speaker.

Mr. Deputy Speaker, I again wish to point out to clause 7 of the Bill in answer to Naparima, and that is a submission which answers in part what the Member for Mayaro had to say. Clause 7 of the Bill at page 9 in subsection (2)
Hon. F. Al-Rawi (cont’d)

says:

“The Minister with responsibility for immigration...”

That is the Minister of National Security. In other words then, this law articulates around two Ministers: the Minister of Foreign and Caricom Affairs; and, secondly, the Minister of National Security. But here is what it says:

“The Minister with responsibility for immigration may revoke the permission granted under this Act...”

That is for temporary six-month permission or an indefinite stay provision pursuant to sections 3 and 4 of the Act. If:

“(b) that person is deemed...”—to be—“...a threat to the national security...”

If:

“(c) that person poses a serious...”—threat to—“...health...”

If:

“(a) that person is the subject of an order made against him for his extradition, deportation or other...”—forms—“...of surrender;”

So, Mr. Deputy Speaker, Naparima has this unfortunate way of saying repeatedly and falsely, that he rejects positions coming from the Government because of an alleged slothfulness and laziness as he put it. Those are his own words. But, Mr. Deputy Speaker, the definition or personification of sloth and laziness is where you failed to read the Bill that you are arguing in the Parliament and, therefore, Mr. Deputy Speaker, page 9 of this Bill, page 7 of this Bill, in the clauses that I have just referred to you, are a complete answer to the intellectual, slothfulness that we heard advanced coming from the Member for Naparima.

Mr. Deputy Speaker, Naparima said that less than 10 per cent of the people in Naparima who are qualified have employment. And Naparima argues, the UNC
argues, against accepting this legislation, not understanding that the 90 per cent of persons, if you believe Naparima, who are looking for jobs now have five further categories of employment opportunity to approach in the Caricom. Now Members opposite, including the Member for Mayaro, made this unusual submission that there is a Caricom blacklist. I would like to say the Member for Naparima in advancing that Trinidad and Tobago is on a Caricom blacklist, I would like to say that is an absolute fabrication.

I am entirely unaware of any Caricom blacklist, and I would like to say, Mr. Deputy Speaker, that the hon. Member clearly also fell into error when he sought to say that the Minister of Foreign and Caricom Affairs claimed CSME for Eric Eustace Williams. He never said that. He said Caricom was a creature claimed by the—

Hon. Members: [Desk thumping]

Hon. F. Al-Rawi:—PNM because it is a matter of historical record that it was Errol Barrow and Eric Williams, and other members of the Caribbean Community then, that signed on to the original Treaty of Chaguaramas. So I would just like to say to the Member for Naparima, please be responsible with the truth if I put in its most kind reflection.

Mr. Deputy Speaker, I would like to say in relation to the principles of where did this come from, are we pandering to CSME, are we pandering to Caricom, Mr. Deputy Speaker, we are obliged under the Treaty of Chaguaramas. Having moved from the Caribbean common market to the Caribbean single market, we are obliged to obey the principles agreed upon by the Heads of Government and, therefore, it is ludicrous for the hon. Members to be suggesting opposite that the skills set which are set out in the Schedule are drawn or picked from a hat. They sought here to trivialize, if not bring into disrespect the
professions that are set out in the Schedules to the law. And, Mr. Deputy Speaker, the Schedule to this law, the Immigration (Caribbean Community Skilled Nationals) Act, Chap. 18:03, this has been so as a matter of record in the time that the hon. Members opposite sat in Government. Because we are dealing with decisions of Caricom, 2006, 2008, 2009, and the hon. Members opposite when in Government for five years and three months left the law exactly as it is.

And, Mr. Deputy Speaker, coming to the ridiculous submission that this is about voter padding, how could the hon. Members opposite use section 12 of the Representation of the People Act where a 12-month residency requirement is put out for Commonwealth citizens as some mechanism to complain about voter padding? Mr. Deputy Speaker, I want to tell you why I say this. And that is because the Immigration Act has a residency requirement albeit, yes, but the Representation of the People Act, Chap. 2:01, that is a law crafted as Act No. 41 of 1967, and section 12 which sets up the at least one-year residency, that was in the law since 1976 at the very least.

So for the hon. Members opposite to come today to say this is a Bill about voter padding, Mr. Deputy Speaker, I reject it out of hand—

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

**Hon. F. Al-Rawi:**—because this has been the law set out in the Representation of the People Act, if you look to the marginal notes, since Act No. 20 of 1976. So if you had a problem with it then, when you sat as the Government with a special majority when the UNC held the reins of power, why on God’s earth would you not have amended the law if you thought it was so odious? Mr. Deputy Speaker, it just rings of ineptitude for the hon. Members opposite to not even bother to pick up section 12 of the Representation of the People’s Act.

Mr. Deputy Speaker, in looking at the argument that we are floodgating

**UNREVISED**
Trinidad and Tobago and we are just opening it up, in terms of a narrow reflection on reciprocity I would just like to remind that of the 20 members of Caricom, 15 members, the 14 original participants in the Treaty of Chaguaramas plus Haiti, and the five associated members, that is a market of 16 million people. And if you look to the market share that our manufacturing sector is advocating for, that they have supported openly in promoting this Bill, if you look to the trade sector, Mr. Deputy Speaker, we are obliged to respect two principles of Caricom: number one, the principle of establishment; and number two, the freedom to move. And the hon. Attorney General gave very good reflection of that in coming to the Shanique Myrie case which demonstrated, and underpinned with Tomlinson, the need for freedom of movement and our respect.

This skill set out in the Schedule, the mechanisms which we advanced today, they come from the Treaty of Chaguaramas, they come from the organs of Caricom. As I sat as chairman of the Legal Affairs Committee for Caricom in the time that I held that tenure most recently, I can attest to the fact that the organs of the legal affairs committee approved the skill sets and the treatment that we are bringing now. Trinidad and Tobago is bringing itself in compliance with the Treaty of Chaguaramas and of the organs of state, and, Mr. Deputy Speaker, I think it is shallow for the hon. Members opposite to say that Mrs. Persad-Bissessar, the Member for Siparia, championed the Caricom unity, and the CSME, and the Treaty of Chaguaramas, when the only thing that I recalled from the Member for Siparia was that Trinidad and Tobago is not an ATM; and, secondly, Mr. Deputy Speaker, the incredible attempt to revise the Treaty of Chaguaramas in the way it was entered into.

The hon. Attorney General referred to the original jurisdiction of the Treaty of Chaguaramas, and when we went into the Treaty of Chaguaramas we made no
reservations to that treaty, and I recalled it was the Member for Siparia who said we are going to take the criminal aspects of the CCJ to the court. Trinidad and Tobago’s final Court of Appeal, according to Siparia, for criminal matters would be the CCJ, and the hon. Member after gifting herself with senior counsel was not aware that you cannot without reservation do what the hon. Member intended. It was just nonsensical, Mr. Deputy Speaker. Absolute nonsense. So, Mr. Deputy Speaker, I reject the submission that the Member for Siparia is somehow a champion for the Treaty of Chaguaramas and for this legislation before us.

Mr. Deputy Speaker, I cannot understand how there could be a complaint about the registrar of the CSME register, the registrar imposed under this Bill, as the Member for Mayaro complained. Because on the one hand they say ease of doing business is complicated, and on the other they worry about whether the registrar would be creating red tape. The registrar is clearly set out the roles and functions in the Bill. The registrar is intended to have the operationalization of this law carefully done.

Mr. Deputy Speaker, those are the simple submissions that I have wish to have made in answer to some of the submissions put opposite, and in view of the collapse of the UNC Bench here today, I have nothing else to say other than thank you for the opportunity to make my contribution today as my colleague, the Minister of Foreign and Caricom Affairs, proceeds to wind up. Thank you.

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

**Mr. Deputy Speaker:** I call upon the Minister of Foreign and Caricom Affairs.

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

**Sen. The Hon. Dr. Amery Browne (Minister of Foreign and Caricom Affairs):** Thank you, Mr. Deputy Speaker. It is my pleasure and privilege once again as Minister of Foreign and Caricom Affairs to contribute in the form of the winding
up to this particular debate. It is incumbent upon me to first of all solute and commend the contributors to this debate on the part of the People’s National Movement—

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

**Sen. The Hon. Dr. A. Browne:**—the Government Bench, the Prime Minister of the Republic of Trinidad and Tobago—

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

**Sen. The Hon. Dr. A. Browne:**—the Member for Diego Martin West who absolutely decimated the Member for Naparima’s contribution—

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

**Sen. The Hon. Dr. A. Browne:**—the Attorney General of the Republic of Trinidad and Tobago who was scintillating—

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

**Sen. The Hon. Dr. A. Browne:**—the Member for Laventille West who was poetic and effective, and the Member for San Fernando West who ensured—a lot of wests in this debate.

**[MADAM SPEAKER in the Chair]**

The Member for San Fernando West who ensured that my task in winding is as light and comfortable as possible. I thank the team on the Government side.

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

**Sen. The Hon. Dr. A. Browne:** Hopefully I did not leave anyone out, Madam Speaker. But I recall it was not that long ago, just after between 2.00 p.m. and 3.00 p.m., that I had the opportunity to pilot this Bill and I took great pains to try to inoculate this debate, to vaccinate the contributions from, and I quote myself, sentiments of anti-regionalism, segregation, xenophobia, and fearmongering, and I asked a question of the Opposition Bench: is this too much to ask for? Well,
Madam Speaker, we got the answer to that question this evening because it was too much to ask for from the United National Congress. They are impervious to inoculation.

Madam Speaker, but we got instead, of what I requested, was an anti-regional epistle from the UNC of fearmongering and hatred. And for the edification, not of them, Madam Speaker, but for the edification of the general public, I want to briefly share a quote from Abdul El-Sayed, who wrote *Healing Politics: A Doctor’s Journey to the Heart of Our Political Epidemic*. He wrote about fearmongering. It is relevant to this discourse. I quote:

“Fear mongering works because we allow it to: we play…”—listen UNC—“…our part in the cycle of…”—hatred, fear and blame. “We allow ourselves to respond in kind to hatred and to hit back, even though we know our actions will only escalate the hatred. We learn to hate, too. We become the equivalent opposite of those who hate us.” And—“Yet we think that our hate is righteous, excused by the hatred we have so long endured. But hatred is still hatred. It is cold. It is still dead. And it is dehumanizing.”

What I heard from the Bench opposite today, Madam Speaker, was cold, it was dead, and it was dehumanizing.

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

**Sen. The Hon. Dr. A. Browne:** Let me make a few statements here, Madam Speaker. I am Caricom. You are Caricom. We are Caricom.

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

**Sen. The Hon. Dr. A. Browne:** It is not an elusive, evasive dream of some stranger from Mars. It is us and it is dependent and incumbent upon us, our actions, our deliberations, our policies and our implementation. And I want to ask Members opposite—I was pained to sit down here in this House to listen to some of these
contributions—did the pandemic teach you nothing? Did the pandemic teach you nothing? Did you not see the generosity of our Caricom neighbours week after week, and month after month, the way being paved by good diplomacy, and friendly relations, and good leadership from the Prime Minister and his fellow Heads?

*Hon. Members:* [Desk thumping]

**Sen. The Hon. Dr. A. Browne:** But we saw Caricom in action when we needed it the most, and when some of us were struggling to find lifesaving vaccines. There was every day I was in the airport, the Minister of Health as well, welcoming vaccines. Many of them with a Caricom label from our brothers and sisters.

*Hon. Members:* [Desk thumping]

**Sen. The Hon. Dr. A. Browne:** This is alive. This is us. This is what we are, and now we are talking about regional food security.

Madam Speaker, it is a beautiful thing we are seeing our region coming to life. Under pressure, under challenge, we are coming to life, but there is still a cold, apparently dead, aspect and we find it on the Opposition Bench unfortunately. And I invite them, come to life us with, join Caricom, join the CSME—

*Hon. Members:* [Desk thumping]

**Sen. The Hon. Dr. A. Browne:**—join the regional movement, because clearly you have not done that. And I saw the beauty of Caricom way before, Madam Speaker, when I was the technical director of National AIDS Coordinating Committee.

We had an organization called the Caribbean Coalition of National AIDS Programme Coordinators and that afforded me, as a very young doctor, the blessed opportunity to travel from Caricom member state to Caricom member state, delivering workshops, working with colleagues in our precious region to help stave off another pandemic in our lifetimes, and we made tremendous progress in that

**UNREVISED**
regard. Again, the beauty of Caricom is nothing new. It is certainly nothing new to us on our side, and that is the inspiration, that is the vapour that lifts us, that propels us, that edifies us and inspires us, and that has driven the presentation of this Bill here today and has inspired, I dare say, some excellent contributions from the Government side.

Madam Speaker, what I heard instead of what we were hoping for, was a scattershot politically desperate attack on the very essence of the Caribbean Community. That is exactly what was delivered today—

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

**Sen. The Hon. Dr. A. Browne:**—by the Opposition, an assault against the very heart and soul of Caricom. We have always had movement in our region, Madam Speaker. That is a fact. Many of us are living testament to that, and some of you are a living testament and you do not even know it because you do not know your ancestry. We have always had movement in our region. You think when slaves were foisted here and brought here they all remained in the same territory? No! There was movement even during slavery. Even after slavery there was movement.

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

**Sen. The Hon. Dr. A. Browne:** Even with respect to the indentured labourers, you think they all remain in the territory of their landing? There was movement and there still is movement. This is alive. This is happening. This is real.

Madam Speaker, my own grandfather—my great grandfather came to Trinidad and Tobago, you know where from? Not directly from India or Africa, from Guyana. He was Guyanese. He came to Trinidad and Tobago and you know who he married, Madam Speaker? A Vincentian, right here in Port of Spain, Trinidad and Tobago—

**Hon. Members:** [Desk thumping]
Sen. The Hon. A. Browne:—and I am the product of Caricom and that type of movement; and on the other side of my family we have Barbadians. I have ancestors from Martinique, from Panama who helped build the Panama Canal, from Scotland. That is who we are as a people.

Hon. Members: [Desk thumping]

Sen. The Hon. Dr. A. Browne: So what I was hearing today is alien to our reality in Trinidad and Tobago, and our region.

Hon. Members: [Desk thumping]

Sen. The Hon. Dr. A. Browne: What this Bill does and I want to state it again, we are facilitating the orderly, controlled, lawful movement of skilled persons in additional categories. That is all it is. There is no need for all of this fearmongering and hysteria talk about floods of workers, tsunami of workers, coming to Trinidad and Tobago. Was it the Member for Naparima—somebody said 2,000 barbers? What was it? Some absurd number of barbers coming to—like if they are attacking us with scissors. You know an invasion of scissors and clippers. Absolutely trite and ridiculous. I would be disappointed if I heard this talk from a primary school student, far less from a noble Member of Parliament on the other side. Trite and unintelligent discourse and contemplation, Madam Speaker—trite and unintelligent.

Hon. Members: [Desk thumping]

Sen. The Hon. A. Browne: Madam Speaker, I was just in Guyana, they always praising Guyana; I went to Barbados, they always praising Barbados, “there eh no flood of barbers there, eh no flood of sportsmen and who think they are sportsmen flooding in.” They have had these categories for years now. So what is the UNC talking about? Is their fear based on reality; or is it based on something else as the Member for Laventille West likes to ask and I join in the rhetorical question, is it
based on something else?

But, Madam Speaker, the people of our country are not fools. The people of our country are not fools. They know that people go where opportunities exist, and it appears that the UNC does not even understand how a market works. So on one hand they have this theory that the economy is in disaster, we are not ready, it is falling apart—they love that quote—the economy is in tatters—Right?—employment and whatever it is—unemployment—and on the other hand they are saying that our brothers and sisters from Caricom are blind, deaf and dumb and they will be flooding in here, into what they have just described as a decimated economy, they are flooding into here by their thousands. That speaks to, I would not even say a lack of understanding of economics, Madam Speaker. It is a lack of understanding of anything worthwhile. It really is a very disappointing dichotomy as presented by the presenters opposite, and I was extremely disappointed with this scattershot approach.

So on one hand they want to run with the hounds and on the other hand they—on one hand they want to run with the foxes and on the other hand they want to hunt with the hounds. You cannot have your cake and eat it at the same time.

Hon. Members: [Desk thumping]

Sen. The Hon. Dr. A. Browne: So people go where opportunities are. People go where opportunities are, and, Madam Speaker, it was particularly painful and my colleagues did a very god job of clearing some of the attempted points off the table. But it was very painful to see a businessman who is thriving and profiting from the CSME and the regional economy being forced to stand on the other side and argue against the very arrangements that the entire private sector in our country and in our region have been calling for time and time again, and, Madam Speaker, that is the kind of hypocrisy that sadly hunts this country today.
You want to deny Trinbagonians the very opportunities that you yourselves have been profiting from. I mean, Madam Speaker, just look at what the TTMA, and the Chamber of Commerce, and all the other private sector representatives have been saying about this legislation, have been saying about the free movement regime, and have been saying about the single market and economy. They are all pleading with us. They are pleading with us. The other Caricom Heads of Government have listened to this debate. I assure you they have been listening, and they are sorely disappointed that a political entity in the Caribbean Community could be uttering such anti-Caricom rhetoric on the floor of the Parliament. Sorely disappointing, Madam Speaker.

I heard again our artistes are unable to find jobs. You know, you are missing the point Members opposite. I am sorry to tell you, you are missing the point. You have missed the point. If it is that they are unable to find jobs in Trinidad and Tobago—acknowledging, but not accepting your theory—then why would you stand here and deny them the opportunity to find skilled jobs regionally? What is the intelligence in your position? Where is the intelligence in your position? So I am taking your own theory and showing you that this Bill is the answer to the Caribbean and to Trinidad and Tobago. Why would you want to deny these artistes the opportunities empowered by a skilled certificate that we are now able to process and present them, and we unleash our talent into the wider world, into the wider region? What is so bad about that? What is so offensive to you about that? Come on, disappointing, unintelligent. This cannot just be for university graduates.

And, Madam Speaker, I note there were not any complaints on the other side when we introduced the category of university graduates you know. But when we open it up to other specified, defined, discrete categories of skilled people, human beings, our brothers and sisters, they become very offended and defensive.
Hon. Members: [Desk thumping]

Sen. The Hon. A. Browne: And that speaks to elitist mentality, an exclusionary mentality, that finds no place in the People’s National Movement but clearly has a home elsewhere, Madam Speaker.

Hon. Members: [Desk thumping]

Sen. The Hon. A. Browne: Out of touch, out of touch, elitist. Out of touch with our talented and skilled young people. Out of touch with our innovators who are chomping at the bit, and I met some of them in Georgetown at the Agri Expo, Trinidad and Tobago young businessmen. I was so proud. They are relishing the regional opportunities. Let us not deny our people these benefits. And I dare say, Madam Speaker, some of the Members opposite are out of touch with their constituents as well. Many of whom—

Hon. Members: [Desk thumping]

Sen. The Hon. Dr. A. Browne—have been benefitting from regional opportunities and will welcome the facilitation the Government is providing to them today. So we are talking about a radical fringe philosophy, Madam Speaker, I would akin maybe to a Le Pen clan and I know there is a Member at least opposite who would understand what I am referring to.

Hon. Members: [Desk thumping]

Sen. The Hon. Dr. A. Browne: They are not even ashamed of their own xenophobia. And then the region, Madam Speaker, again they kept asking why now, why now? When? What is your benchmark? No one stood and gave us. What an empty posture?

7.00 p.m.

Hon. Members: [Desk thumping]
Sen. The Hon. Dr. A. Browne: No one stood and said well, when we reach a certain economic threshold, we would support these measures. And you know why, Madam Speaker? This is just empty convenience on the part of the UNC, opposing for opposing sake and I want them to look into the eyes of Peter Minshall born in Guyana and contributing so famously and proudly to the culture of Trinidad and Tobago.

Hon. Members: [Desk thumping]

Sen. The Hon. Dr. A. Browne: The Mighty Sparrow, born as Slinger Francisco in Grenada. We are so proud, he got the Order of the Caribbean Community. Highest award in our region.

Hon. Members: [Desk thumping]

Mr. Hinds: [Inaudible]

Sen. The Hon. Dr. A. Browne: Julien Rogers was mentioned already. Natalie Legore, I know they love that name, very talented, a media personality. Peter Richards, Prof. Dr. Jessica Byron-Reid from St. Kitts and Nevis, Earl Jean from St. Lucia who is coaching and training and nurturing young people in this country. This is the Caribbean. I am Caricom, you are Caricom, they are Caricom, Madam Speaker.

I heard about—Madam Speaker, how much time do I have?

Madam Speaker: Minister, you have 13 minutes left.

Sen. The Hon. Dr. A. Browne: Oh beautiful. Madam Speaker, indeed. I heard about TSTT workers being retrenched. I mean the attempt to import negatives into any UNC contribution is astounding. So they went shopping for negatives. So some TSTT workers, workers from a particular company in Trinidad and Tobago were retrenched this week so the Bill is at the wrong time. Now what kind of—

Mr. Hinds: Banality.
Sen. The Hon. Dr. A. Browne: Banality is that?

Hon. Members: [Desk thumping]

Sen. The Hon. Dr. A. Browne: Thank you, colleague. Madam Speaker, what kind of banality is that? The people of Trinidad and Tobago are bright, skilled and qualified. The workers of TSTT are bright, skilled and highly qualified. So some were retrenched by one company and Naparima wants to deny them skills certificates to market their services across the region. That is back-to-front thinking. We should want to empower these workers and these former workers to take their skills and their talents right across our region.

Now, I said that Dr. Eric Williams was the founding father of Caricom. The Member for Naparima jumps up and says I am wrong. “He is wrong, he is wrong.” The CSME did not exist with Dr. Eric Williams. But you see then they do not understand. It says they do not understand the difference between the Treaty of Chaguaramas and the Revised Treaty of Chaguaramas. And, Madam Speaker, I do not propose to stand here and give an ABC of regional integration and the Caricom integration process to Members on the other side who should know better. Go and do your homework. Come on.

Hon. Members: [Desk thumping]

Sen. The Hon. Dr. A. Browne: Disappointing and unintelligent. Does not know the difference between the treaty and the revised treaty. Is this the best the UNC has to offer?

Mr. Hinds: Yes.

Sen. The Hon. Dr. A. Browne: Is this the best they can do? Is this their best and brightest? Madam Speaker, there was a hue and cry about why would we deny someone who was convicted of public drunkenness; and the Member for Naparima spent an inordinate amount of time pleading a case for those who have been
convicted of public drunkenness, why we want to deny them consideration of a skill. And, honestly I tried to get the point that he was making and it escaped me. What is all of this prestige being poured into the vessel of public drunkenness? Why are they making so much effort on such a point like that? And, Madam Speaker, I do not what that fascination is but maybe at some further, the Member for Naparima would seek to enlighten me.

And then I heard, Madam Speaker, a very dangerous reference being made and I want to call it out. I want to flag it. The Member for Naparima gave us an example, he called it an example, and he made a reference that the people in South Africa are attacking foreign workers. He brought that into today’s debate and I tried to understand the philosophy, I tried to understand his motivation in doing so. Madam Speaker, what was the point he was trying to make? What is the insinuation? What is the instigation? What is the provocation?

And I want to tell Members opposite they need to think. They need to think. They need to try to think. We have skilled workers all over the region right now and all over Caricom who are guests of the people of those territories. So to come here and talk about people attacking foreign workers and introducing that kind of discourse, I see it as dangerous, as counterproductive and completely unwelcomed in the mature consideration of the matter of regional integration.

Hon. Members: [Desk thumping]

Sen. The Hon. Dr. A. Browne: To go to South Africa and to import that kind of foolishness—may I? That kind of narrative, I think it is reprehensible. I have to say it that way on this particular point. Our people are competing for jobs. They like to use those words, “competing for jobs”. But we are not unarmed in this competition. We are competing for jobs in St. Kitts, in Barbuda, in Georgetown, in Suriname. So, the Member for Naparima needs to be careful, do not be reckless
with his words, and do not be dangerous in his insinuations.

Madam Speaker, and then I heard talk about who deserves detention and lines and all sorts of idle stuff. And, Madam Speaker, I just want to say that if—and they always talk about Mia Mottley, Mia Mottley, Mia Mottley. The Prime Minister of Barbados has the responsibility in the Caricom quasi-Cabinet for the Caribbean Single Market and Economy, and if she was listening to the Member for Naparima and all his colleagues today, she will give them worse than lines and detentions because their narrative is exactly what that sub-committee is fighting against. It is exactly what they are fighting against. And then they hold up this banner “the UNC is in full support of Caricom”. So they attack Caricom, they attack the free movement process, they attack regional integration and then strangely claim the UNC is in full support of Caricom. Well you cannot have it both ways, my friends, you cannot have it both ways. Again, they want to run with the foxes and hunt with the hounds. Madam Speaker, there is a lot that I could respond to but there is very little that requires response because there is very little substance that came from the other side and my colleagues on this side did an excellent job.

The CSME, there was talk, the CSME skills—or, a bilateral agreement between Barbados and Guyana. A bilateral agreement, a big deal, bilateral agreement. But, Madam Speaker, the skill certificate is a document that extends beyond any bilateral agreement. It is a multilateral arrangement that benefits not just two countries, all the membership of the CSME. So why would you hold up one bilateral agreement when we are offering you the gift, the power of a multilateral arrangement that is being expanded that would benefit all peoples instead of those of just two countries. Come on. Come on, expand your thinking. Talk about the timing of the Bill and 2 per cent wage increases. Well my
colleagues dealt with that very successfully, Madam Speaker.

And then there is a request for data, well how much data would it take to convince those who are beyond any reasonable conviction. Madam Speaker, how much?

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

**Sen. The Hon. Dr. A. Browne:** So the total applications processed for TT nationals is 319 and the total applications processed for non-nationals is 2,426. You see the ratio, more for us, less for them. This shows that nationals of Trinidad and Tobago have been utilizing the opportunity to obtain jobs in other member States. Now we are empowering them, more of them, to do the same. That is what we are doing. More TT nationals have gone out versus non-nationals that have come in. Simple enough? Clear enough, Members? Clear enough? Come on.

And the UNC administration, now they came here asking about what are the arrangements like if they have never been in Government. The UNC administration between 2010 and 2015, they do not have their own data, processed approximately 1,800 of these skills certificates. So you cannot come here pretending to be uneducated and uninformed and naive on the process. You understand the process, you are just pretending not to for the convenience of opposing for opposing sake. Madam Speaker, this is not rocket science. This is basic regional integration at work. This is Trinidad and Tobago meeting its obligation and joining the family of nations. Others have done long ago, it is time now for us and despite whatever bleating Opposition, it is happening today. It is happening in this period under this Government, Madam Speaker.

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

**Sen. The Hon. Dr. A. Browne:** The Member for Pointe-a-Pierre, well I cannot spend much time on him. He was really, really poor today. He referred to the St.
Ann’s Declaration, and in doing so, he made it pellucidly clear that he has never read the St. Ann’s Declaration. He talked about the 2019 JSC report and issues about tracking and so on, but, Madam Speaker, the CSME on September 20th, 2021 sent a written response to all the JSC issues so that is already on the record. I do not know where he was going with that.

He asked a question about who chooses the category of skilled workers, who chooses the categories. You would come here in the Parliament and ask a question like that after hours of debate? Come on. It is the Heads of Government of Caricom that have collectively agreed on the categories of skilled workers and if there are more categories to come, it will be our duly elected heads who will do so. No one Government can make those decisions. This is not a PNM thing, this is a Caribbean thing. I invite you to join us.

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

**Sen. The Hon. Dr. A. Browne:** So, Madam Speaker, what else is there to say? Just may be a final couple points. How much more time do I have, Madam Speaker?

**Madam Speaker:** You have a little over two minutes.

**Sen. The Hon. Dr. A. Browne:** Oh boy. All right. There is the issue of CVQs and again, our CSME Unit has done their homework. So CVQs work not just in Trinidad and Tobago but they work right across the Caribbean region. And, Madam Speaker, it really pains me to have to go through some of these ABCs.

So I want to thank our Caricom division, our CSME Unit. I want to thank the Caricom Secretariat. I want to thank the Prime Minister and Members of our Bench. I want to thank our Caricom founding fathers for propelling them to the point where Trinidad and Tobago can continue to lead our region and make our contribution to regional integration. In 1973, the signatories: Dr. Eric Williams,
Errol Barrow, Forbes Burnham, Michael Manley, they would be proud of us today and they would shake their heads when they hear the contributions of those opposite. And finally, Madam Speaker, I want to thank the people of Trinidad and Tobago, bright, skilled and innovative, smarter than the UNC gives them credit for.

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

**Sen. The Hon. Dr. A. Browne:** And to say our future is in Caricom and Caricom’s future is in us. I beg to move, Madam Speaker.

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

*Question put and agreed to.*

*Bill accordingly read a second time.*

*Bill committed to a committee of the whole House.*

**Madam Speaker:** This is Bill has 19 clauses.

*House in committee.*

*Clauses 1 to 19 ordered to stand part of the Bill.*

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

*House resumed.*

**Madam Speaker:** Minister of Foreign and Caricom Affairs. Minister of Foreign and Caricom Affairs.

**Sen. The Hon. Dr. A. Browne:** Thank you, Madam Speaker. I wish to report that the Immigration (Caribbean Community Skilled Nationals) (Amdt.) Bill, 2022 was considered in the committee of the whole and approved without amendments. I now beg to move that the House agree with the committee’s report.

*Question put.*

**Mrs. Robinson-Regis:** Madam? Madam Speaker, may I ask a question please in relation to the printed Bill that is before us. There is a clause 20 in the printed Bill that we have that came from the Senate. Is that so or not?

**UNREvised**
Hon. Member: Correct.

Mrs. Robinson-Regis: Madam Speaker, “yuh checking”?

Madam Speaker: Yes. There is a clause 20.

Mrs. Robinson-Regis: Thank you very kindly.

Madam Speaker: So I will just guide us on the procedure.

Mrs. Robinson-Regis: Thank you.

[Pause]

Madam Speaker: All right, so hon. Members at this stage, I believe we will resolve back into committee and do the committee stage afresh. Okay so—

Hon. Members: [ Interruption and crosstalk]

[Pause]

Madam Speaker: Okay so Minister of Foreign and Caricom Affairs.

Hon. Members: [ Desk thumping]

Sen. The Hon. Dr. A. Browne: Madam Speaker, in accordance with Standing Order 68(1), I beg to move that the Immigration (Caribbean Community Skilled Nationals) (Amdt.) Bill, 2022 be committed to the committee of whole to be considered clause by clause.

Bill committed to a committee of the whole House.

Madam Speaker: This Bill has 20 clauses.

House in committee.

Clauses 1 to 20 ordered to stand part of the Bill.

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

House resumed.

Bill reported without amendment.

Question put: That the Bill be read a third time.

Mrs. Robinson-Regis: Division.

UNREVISED
The House divided: Ayes 20   Noes 11

AYES
Robinson-Regis, Hon. C.
Imbert, Hon. C.
Young, Hon. S.
Hinds, Hon. F.
Deyalsingh, Hon. T.
Al-Rawi, Hon. F.
Beckles, Hon. P.
Webster-Roy, Hon. A.
Cudjoe, Hon. S.
Gadsby-Dolly, Hon. Dr. N.
Gonzales, Hon. M.
Mc Clashie, Hon. S.
Cummings, Hon. F.
Forde, E.
De Nobriga, Hon. S.
Leonce, Hon. A.
Manning, Hon. B.
Morris-Julian, Hon. L.
Scotland, K.
Monroe, R.

NOES
Lee, Mr. D.
Charles, R.
Ameen, Ms. K.
Hon. Members: [Desk thumping]

CANNABIS CONTROL BILL, 2020
Senate Amendments

The Attorney General and Minister of Legal Affairs (Sen. The Hon. Reginald Armour SC): Thank you, Madam Speaker. I beg to move the following Motion standing in my name:

Be it resolved that the Senate amendments to the Cannabis Control Bill, 2020 listed in Appendix 2 be now considered.

Question proposed.

Question put and agreed to.

Madam Speaker: Now, Attorney General, there is quite a number of amendments, so if it is going to be more than five minutes, I would have to invite you to go into the booth.

Mr. Armour SC: I do not think I will, Madam Speaker. I beg to move that this House agree with the Senate in the amendments to clauses 3, 5, 6, 7, 9, 12, 14, 15, 16, 21, 25, 29, 30, 44, 47 and 48.

Madam Speaker: All right. Okay, so can I ask the Clerk to read the amendments?
Cannabis Control Bill, 2020

Clause 3(1).

Senate amendments read as follows:

A. In the definition of “analytical services”, after the word “cannabis”, insert the words “and compounds containing cannabis”.

B. Delete the definition of “pharmacy” and substitute the following:
   “pharmacy” means any premises licensed as a pharmacy pursuant to section 27 of the Pharmacy Board Act;”.

C. After the definition of “Regulations”, insert the following new definition:
   “religious organisation” means an organisation whose values are based on faith and beliefs, which has a mission based on social values of the particular religious organisation of faith, and which draws its leaders, followers, adherents, devotees or congregation from a particular faith group, and for the purposes of this Act, is registered as a non-profit organisation under the Non-Profit Organisations Act, 2019;”.

7.30 p.m.

Mr. Armour SC: Madam Speaker, in clause 3 “analytical services”, this was amended to include services for the testing of cannabis—

Madam Speaker: One minute, Attorney General. May I just guide you back to your procedure, please?

Mr. Armour SC: Yes. Thank you very much, Madam Speaker. I beg to move, Madam Speaker, this House agree with the Senate in the amendments to clause 3(1), as read, of the Cannabis Control Bill, 2020.

And I was in the process of just assisting Members, “analytical services” amended to include services for the testing of abstraction of cannabis or compounds containing cannabis. The second, the term “pharmacy” to correctly
reflect that pharmacies are licensed but not registered under the Pharmacy Board Act. And the term “religious organization” was introduced as a definition in complete form as read, in order to give clarity to that term.

Question proposed.

Madam Speaker: Member for Chaguanas West.

Mr. Rambally: Thank you, Madam Speaker. With respect to clause 3(1), we have no difficulty with clause 3(1), the proposed amendments.


Mr. Armour SC: Madam Speaker, I therefore beg to move that this House agree with the Senate in the amendments to clause 3(1) of the Cannabis Control Bill. I beg to move.

Question put and agreed to.

Clause 5.

Senate amendments read as follows:

5A. In subclause (1):
   i. in subparagraph (d), after the word “licence”, insert the words “and advise the Minister accordingly”;
   ii. in subparagraph (g), after the words “register of”, insert the words “names, addresses and contact details of”;
   iii. in subparagraph (l), delete the word “and”;
   iv. after subparagraph (l), insert the following new subparagraph:
      “(m) identify mechanisms to protect the vulnerable, discourage use of cannabis for the vulnerable and ensure that prevention and rehabilitation treatment policies and measures for cannabis-use disorders are identified and implemented; and”;
   v. renumber subparagraph (m) as (n).
B. In subclause (2), after the word “functions”, insert the words “under this Act”.

C. In subclause (3):
   i. in subparagraph (a), after the words “cannabis industry”, insert the words “which are internationally-comparable”;
   ii. at the end of subparagraph (b), delete the word “and”;
   iii. after subparagraph (b), insert the following new subparagraph: “(c) conduct research into the public health and social effects of cannabis; and”; and
   iv. renumber subparagraph (c) as (d).

Madam Speaker: Attorney General.

Mr. Armour SC: Madam Speaker, with respect to clauses which have been read, clause—

Madam Speaker: Again, Attorney General, may I just guide you back to the procedure. I know it is a bit tedious, but.

Mr. Armour SC: I apologize. Madam Speaker, I beg to move that this House agree with the Senate in the amendments to clause 5(1), continuing through to clause 5(3). And if I may explain to Members, clause 5 was amended in subclauses (1), (2) and (3). Five amendments were made to subclause (1), namely to subparagraphs (d), (g), (l), (m) and (n). Subparagraph (d) was amended to include in the functions of the authority advising the Minister accordingly should the authority take enforcement measures in the event of any noncompliance or breach of any of the provisions of the Act, or any term or condition of a licence.

Subclause (g) was amended to allow for the electronic register to contain the names, addresses, and contact details of medical practitioners, patients and caregivers, in accordance with the Act.

UNREVISED
Subclause (l) was amended to delete the word “and” appearing at the end of the subparagraph to facilitate the addition of a new paragraph (m), and to add to the functions of authority, a new subparagraph (m), which reads as follows:

“identify mechanisms to protect the vulnerable, discourage use of cannabis for the vulnerable and ensure that prevention and rehabilitation treatment policies and measures for cannabis-use disorders are identified and implemented”

And after the new (m), the original subparagraph (m) was renumbered (n), accordingly.

Clause 5(2), the words “under this Act” were added to make it clear that the Authority shall have such powers as are necessary or expedient for the performance of its functions under this Act.

Clause 5(3), four amendments were made to this clause, namely in subparagraphs (a), (b), (c) and (d). In subparagraph (a), the words “which are internationally-comparable” were inserted so that now in the Authority’s performance of its functions to formulate standards and prescribe codes of practice to be observed by licensees and other persons involved in the cannabis industry those standards and codes are to be internationally-comparable.

Subparagraph (b) was amended to delete the word “and” appearing at the end of the subparagraph to facilitate the addition of a new subparagraph (c). The new subparagraph (c) was added to the list of what the Authority must do in the performance of its functions, that is to say, conduct research into the public health and social effects of cannabis. And after the insertion of a new (c), the original paragraph C was renumbered accordingly.

Madam Speaker, I beg to move.

Question proposed.
Madam Speaker: Member for Chaguanas West.

Mr. Rambally: Thank you, Madam Speaker. In relation to the proposed amendments at clause 5A, B and C and the attendant subclauses, we have no objections, please.

Madam Speaker: Attorney General.

Mr. Armour SC: Madam Speaker, I beg to move that this House agree with the Senate in the amendments to clause 5A— Let me just get my papers together, Madam Speaker. I beg pardon your pardon. Clause 5—

Madam Speaker: I think that is sufficient, Attorney General just to say clause 5.

Mr. Armour SC: Yes. Thank you very much. I beg to move.

*Question put and agreed to.*

*Clause 6.*

*Senate amendments read as follows:*

6A. In subclause (2):
  i. delete the words “nine persons” and substitute the words “eleven persons”;
  ii. delete the word “years” and substitute the word “years”;
  iii. delete subparagraphs (d) to (i) and substitute the following:
      “(d) medicine, other than psychiatry;
      (e) psychiatry;
      (f) scientific research;
      (g) agriculture;
      (h) law enforcement;
      (i) education;
      (j) drug rehabilitation; or
      (k) public health.”.
B. In subclause (3), delete the words “No person” and substitute the words “Subject to section 5(2)(f) and (g) of the Dangerous Drugs Act, no person”.

**Madam Speaker:** Attorney General.

**Mr. Armour SC:** Madam Speaker, I beg to move that this House agree with the Senate in the amendments to clause 6 in subclause 2(i); (ii) and (iii), and subclause (3) of the Cannabis Control Bill, 2020. I just assist the Members to appreciate that the amendments were made to clauses 2 and 3. In subclause (2), the composition of the Board was increased to 11, and that was in order to add further disciplines. An apostrophe was inserted after the word “years” to deal with a typographical error and the list of disciplines from which the President may draw upon to constitute the board was amended to include public health as a discipline and psychiatry as a discrete discipline from medicine.

Subclause (iii) was amended to insert the words “subject to clause 5(2) (f) and (g) of the Dangerous Drugs Act, no person”, at the beginning of the subclause to ensure that persons who are handling cannabis for personal use as is permitted under the Dangerous Drugs Act would not be debarred from serving on the board.

Madam Speaker, I therefore beg to move that this House agree with the Senate in the amendments to clause 6 of the Cannabis Control Bill, 2020.

*Question proposed.*

**Madam Speaker:** Member for Chaguanas West.

**Mr. Rambally:** Thank you, Madam Speaker. In relation to the proposed amendment at clause 6A and (ii), and the hon. Attorney General may be able to clear up this, utilizing the draft Bill at Appendix 4 of the report of the Joint Select Committee, this particular correction seems to have been codified already. Save and a part from that, Madam Speaker, we have no objections to clause 6.

**UNREvised**
Mr. Armour SC: The clarification that you wish, if I may ask hon. Member, is what in particular? I am not sure if I follow.

Mr. Rambally: Madam Speaker, what I am saying—and we are splitting hairs—but the proposed amendment at clause 6A(ii) seems to have been correct in the version which we know it to be Appendix 4 Bill attached to the report of the Joint Select Committee. That is all we are raising.

Mr. Armour SC: That was, as I sought to explain, hon. Member, that an apostrophe was added after the word “years”. So if you look closely at the bold type “years” the word years is in double invert commas, after then an apostrophe appears after the double inverted commas. That was really just to deal with a typographical error. So no substantive change has been between the word “years” plural and “years” plural, in inverted commas?

Mr. Rambally: Madam Speaker, I leave it there. The version that we have at Appendix 4 reflects the correct. I think what they are seeking to correct is already. That is the simple point. We have no objection to clause 6.

Madam Speaker: Attorney General.

Mr. Armour SC: I beg to move that this House agree with the clause in the amendments to clause 6 of the Cannabis Control Bill, 2020. I beg to move.

Question put and agreed to.

Clause 7.

Senate amendments read as follows:

7. Delete subclauses (3) and (4) and substitute the following new subclauses:

“(3) The Board shall take all reasonable steps to identify, and keep under review, any potential conflicts of interest.

(4) A Member who has an actual or contingent pecuniary interest shall as soon as possible, after the relevant facts come to his knowledge,
disclose in writing to the Board and to the President, the nature of that interest.

(5) Subject to the following provisions of this paragraph, a Member of the Board shall vacate office –

(a) if he is in any way directly or indirectly engaged or employed in the handling of cannabis; or

(b) if he has acquired an actual or contingent pecuniary interest in any company, firm or other entity which is regulated by the Authority.

(6) A Member who, without reasonable excuse, fails to comply with this section, commits an offence and is liable on summary conviction to a fine of two hundred and fifty thousand dollars and imprisonment for a term of two years.”.

Madam Speaker: Attorney General.

Mr. Armour SC: Madam Speaker, I beg to move that this House agree with the Senate in the amendments to clause 7 of the Cannabis Control Bill, and may I explain? In the other House subclauses (3) and (4) of the Bill then before that other House were less than clear in the views of a number of Members of the Independent Bench and Members of the Opposition Bench. And I take this opportunity to record my appreciation. After some discussion and debate at committee stage, I invited a collaboration between the Independent and Opposition Bench and I express my gratitude to Independent Sen. Vieira and Opposition Sen. Lutchmedial, who came up with the formulation of words which the committee subsequently amended and thereafter the Senate amended. So that subclauses (3) and (4) are to be deleted and replaced by new subclauses (3) to (6), which were drafted by the Independent and Opposition Benches and accepted by all. I beg to
move.

Question proposed.

Madam Speaker: Member for Chaguanas West.

Mr. Rambally: Thank you, Madam Speaker. Madam Speaker, in relation to clause 7, I know we are dealing with clause 7 now, but the concern that I have has to deal with reconciling the proposed amendment at clause 7 and what will be clause 14. And I know there is a slight amendment to be made to clause 14.

Madam Speaker, with your permission if I may just identify the area of concern for the benefit of the hon. Attorney General. What we see at the proposed amendment to clause 7(4), we note it is to disclose in writing to the Board and to the President, as opposed to clause 14, where it has to be a disclosure to the Minister. The concern comes really at the proposed amendment 5, that would be clause 7(5):

Subject to the following provisions of this paragraph a member of the Board shall vacate office.

And so we indicate the two instances in which they shall vacate office.

When you look at clause 14, it suggests that you can actually have an anniversary date where a member will disclose within one month their particular interest, whereas this clause suggests, and this is where we want it very tight, that a person will vacate office once there is that conflict of interest. So that is what I wanted to raise with the hon. Attorney General, if there is any concern with regard to reconciling 7 and 14. Certainly, from where we look at it, there seems to be an at-odds position between 7 and 14.

Mr. Armour SC: Thank you, hon. Member. Through you, Madam Speaker, we do not see on our side—and there was a discussion along this line somewhere around midnight of that evening when we were in the other place. We do not see
an inconsistency. And I would, therefore, propose that clause 7(3), (4), (5) and (6) go forward as drafted and accepted by the Senate.

Madam Speaker: Okay, and you beg to move.

Mr. Armour SC: And I beg to move, Madam Speaker.

Question put and agreed to.

Madam Speaker: Leader of the House.

ARRANGEMENT OF BUSINESS

The Minister of Housing and Urban Development (Hon. Camille Robinson-Regis): Thank you very kindly, Madam Speaker. Madam Speaker, in accordance with Standing Order 15(5), I beg to move that the House continue to sit until the conclusion of the matters before it. Thank you very kindly, Madam Speaker.

Question put and agreed to.

CANNABIS CONTROL BILL, 2020

Senate Amendments

Clause 9.

Senate amendment read as follows:

9. Insert after the word “Gazette”, the words “, and at least once in two daily newspapers of general circulation,”.

Madam Speaker: Attorney General.

Mr. Armour SC: Madam Speaker, I beg to move that this House agree with the Senate in the amendments to clause 9 of the Cannabis Control Bill, 2020. Those words, as have been inserted by the amendment and accepted by the other House, are to give effect to the publication by the Gazette and more particularly in respect of laypeople who might not ordinarily read the Gazette even though it constitutes constructive notice in at least once in two daily newspapers of general
circulation. Accordingly, I beg to move.

Question proposed.

Madam Speaker: Member for Chaguanas West.

Mr. Rambally: Thank you, Madam Speaker. In relation to clause 9, we have no objection. Madam Speaker, just as an addendum, and certainly I mean no disrespect to the procedure of the House, from here onwards, if it would assist, we will have no objection to the other clauses, proposed clauses and amendments.

Madam Speaker: Attorney General.

Mr. Armour SC: Thank you very much, Madam Speaker, and I am grateful to my learned friend, hon. Member on the other side. Madam Speaker, in the circumstances, I beg that this House agree with the Senate in the amendments to clause 9 of the Cannabis Control Bill. I beg to move.

Question put and agreed to.

Clause 12.

Senate amendment read as follows:

12 Delete the word “five” and substitute the word “seven”.

Mr. Armour SC: Madam Speaker, if I may be allowed to make an enquiry? I think I had understood the hon. Member on the other side, unless I am unclear, that he would agree for all of the remaining clauses to be put to the House and I would simply beg to move. I think that is how I understood he would prefer to proceed.

Madam Speaker: Okay. Thank you Attorney General. Thank you Member for Chaguanas West. The Clerk will have to stand and read all of the clauses and then the Attorney General would put the question with respect—propose the amendments to all the clauses together, en masse. So Clerk.

Senate amendments read as follows:

Clause 14.
14A. In subclause (1), delete the words “Every Member” and substitute the words “Subject to section 5(2)(f) and (g) of the Dangerous Drugs Act, every Member”.

B. In subclause (2), delete the words “one hundred and fifty thousand dollars” and substitute the words “two hundred and fifty thousand dollars”.

C. Delete subclause (3).

Clause 15.

15. In subclause (2), delete the words “No person” and substitute the words “Subject to section 5(2)(f) and (g) of the Dangerous Drugs Act, no person”.

Clause 16.

16A. In subclause (5), in the chapeau, delete the words “one month” and substitute the words “one week”.

B. In subclause (7), in the chaussure, delete the words “one hundred and fifty thousand dollars” and substitute the words “two hundred and fifty thousand dollars”.

Clause 21.

21(1) In subparagraph (e), after the words “public awareness”, insert the words “, drug rehabilitation”.

Clause 25.

25(2) Delete the words “, which in the opinion of the Auditor General or the auditor is of sufficient importance to justify so doing”.

Clause 29.

29A. In subclause (1), subparagraph (a), after the word “curing”, delete the words “or packaging” and substitute the words “, packaging or storage”

B. In subclause (1), subparagraph (b), after the words “allow for the”,
insert the words “storage of cannabis and the”.
C. In subclause (1), subparagraph (c), after the words “allow for the” insert the words “storage of cannabis and the”.
D. In subclause (1), subparagraph (d), after the words “allow for”, insert the words “the storage of cannabis and for”.
E. In subclause (1), subparagraph (e), before the word “dispensary”, insert the words “pharmacy or”.
F. In subclause (3), subparagraph (a), after the word “curing”, delete the words “or packaging” and substitute the words “, packaging or storage”.
G. In subclause (3), subparagraph (c), after the word “importation”, insert the words “and storage”.
H. In subclause (3), subparagraph (d), after the words “ allow for the”, insert the words “storage and”.

Clause 30.
30. Delete subclause (9) and substitute the following new subclause:
“(9) An applicant for a licence who knowingly provides false or misleading information to the Authority commits an offence and is liable on summary conviction to a fine of two hundred and fifty thousand dollars and imprisonment for a term of two years.”.

Clause 44.
44A. In subclause (1):
   i. delete the chapeau and substitute the following:
      “(1) Subject to subsections (2) and (3), a patient may, with the consent of another, designate that other person his caregiver, and that designated caregiver shall be responsible for –”
   ii. delete subparagraph (c);

UNREVISED
iii. insert the word “or” at the end of subparagraph (a); and
iv. in subparagraph (b), delete the words “safety; or” and substitute the words “safety.”.

B. In subclause (7), insert after the word “shall”, the words “within one week of the change”.

C. Insert after subclause (7), the following new subclause:

“(8) A patient and his designated caregiver shall notify the Authority of the designation and give to the Authority such information as the Authority may require in respect of the new caregiver.”.

Clause 47.

47. In subparagraph (c), insert after the word “adherent”, the words “at a regulated frequency as may be prescribed”.

Clause 48.

48. In subclause (1), in subparagraph (a), delete the words “an adherent” and substitute the words “a leader”.

Madam Speaker: Attorney General.

Mr. Armour SC: Madam Speaker, I beg to move that this House agree with the Senate in the amendments to clauses 14, 15, 16, 21, 25, 29, 30, 44, 47 and 48 as read by your Clerk. And if I may just assist Members to appreciate the reasoning behind the amendments. In clause 14, it was considered that to make clear the offence that the words:

“Subject to section 5(2) (f) and (g) of the Dangerous Drugs Act, every Member”

—should be inserted at the beginning of subclause, to ensure that persons handing cannabis for personal use as is permitted under that Act, that is to say the Dangerous Drugs Act, would not be prejudiced.

UNREVISED
In subclause (2), it was considered that the fine should be increased. That was increased to $250,000, and in subclause (3), the provision no prosecution of an offence under this section may be instituted without the written consent of the Director of Public Prosecutions was deleted.

With respect to clause 15—

**Madam Speaker:** Attorney General. I am sorry to interrupt but we have not done 12. So, if you can just deal with 12 before we go further on.

**Mr. Armour SC:** I beg your pardon. I went one forward. I am sorry. And if I may just—with respect to clause 12, which is one of those that was amended, the original number of members of the Board, the Authority, was nine. That was then increased to 11. So it was considered that the quorum should be increased to seven as a corollary to the earlier amendment. Thank you very much for the guidance, Madam Speaker.

With respect to clause 15, this was amended to harmonize the earlier amendments so that the words, again as I have just explained:

“Subject to section 5(2)(f) and (g) of the Dangerous Drugs Act, no person”

—were inserted at the beginning.

With respect to clause 16, staff of the Authority and experts, two amendments were made. The first amendment reduced the required period for a declaration to be made by an employee of the Authority, an expert, an advisor or a consultant to the Chief Executive Officer on whether or not he has an actual or contingent pecuniary interest in any company, firm or other entity regulated by the Authority. That amendment now requires those persons to make such a declaration to the Chief Executive Officer one week after their appointment or engagement and on each anniversary of their appointment or engagement. And the second
amendment increase the fine as I earlier explained up to the sum of $250,000.

With respect to clause 21, the words “application of the fund” was amended by now including “drug rehabilitation” as a further expenditure for the use of the moneys of the fund.

In clause 25, audit of accounts, the Auditor General or the auditor authorized by him has a discretion whether to report an irregularity disclosed by the audit if such irregularities of sufficient importance in his opinion to justify so doing. It was considered that such a discretion was outside the remit of the Auditor General, all irregularities disclosed by the audit must be brought to the attention of the Minister and the Board. And accordingly that clause was amended to remove that discretion. So that Madam Speaker, now the Auditor General or an auditor authorized by him shall immediately draw to the attention of the Minister and the Board any irregularity disclosed by the audit.

With respect to clause 29, types of licences, eight amendments were made. All eight of these amendments, Madam Speaker, provide for storage of cannabis. While it was earlier, it could have been said to have been implied in the language that was used in the different subclauses of clause 29, it was thought better to make it express. So the words “storage of cannabis” is explicitly included.

8.00 p.m.

In respect of clause 30, eligibility for a licence, the offence committed by an applicant for:

“licence who knowingly provides false or misleading information…”

Again, it was considered that this fine should be increased to “two hundred and fifty thousand dollars”.

With respect to clause 44, “Caregivers” the following amendments were made. Firstly, the clause was amended to now provide that a patient may designate
another person his caregiver once that other person gives his consent to be a caregiver. Secondly, the responsibility of a caregiver having to act in the best interest of the patient was removed. Thirdly, the clause was amended to insert the requirement of a patient informing his medical practitioner of a change of his caregiver within one week of the change. And lastly, a new clause—subclause was inserted which requires a patient and his designated caregiver to notify the authorities of the designation and to give to the authority such information as the authority may require in respect of the new caregiver.

In clause 47, “Sacramental dispensaries” the requirement of the sacramental dispensary shall “dispense no more than thirty grams of cannabis to any single adherent…” was amended in order to provide for some regulation so that the words are now added at a regulated frequency as may be prescribed.

And the final amendment which was made to clause 48, Madam Speaker, “Declaration of exempt event”. This clause was amended to replace the word “an adherent” of a religious organization and it was considered more appropriate to give that role to the leader of a religious organization.

By this amendment, therefore an event to be declared by the Minister as an exempt event for the purposes of the Act must among other things be promoted or sponsored by a person who is a leader of a religious organization as opposed to merely an adherent of that religious organization.

Madam Speaker, with those words I beg to move that the list of amendments in the clauses which I have just elucidated—I beg to move that they be passed.

Question proposed.

Madam Speaker: Member for Chaguanas West.

Mr. Rambally: Thank you Madam Speaker, in relation to the proposed amendments at clauses 12, 14, 15, 16, 21(1), 25(2), 29, 30, 44, 47, and 48, we have
no objections please.

**Madam Speaker:** Attorney General.

**Mr. Armour SC:** Madam Speaker, I beg to move—I have no amendments, and I beg to move that this Bill now be passed.

*Question put and agreed to.*

**ADJOURNMENT**

**Madam Speaker:** Leader of the House.

**The Minister of Housing and Urban Development (Hon. Camille Robinson-Regis):** Thank you very kindly, Madam Speaker. Madam Speaker, I beg to move that this House do now adjourn to a date to be fixed.

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 8.03 p.m.*