


SENATE*Tuesday, March 15, 2022*

The Senate met at 1.30 p.m.

PRAYERS[MADAM PRESIDENT *in the Chair*]**COMMITTEE OF PRIVILEGES****(CHANGE IN MEMBERSHIP)**

Madam President: Hon. Senators, for the matter of privilege referred to the Committee of Privileges on Tuesday, March 15, 2022 only, Ms. Jearlean John will be temporarily appointed to serve as a Member of the Committee in lieu of Mr. Wade Mark.

PAPERS LAID

1. Motor Vehicles and Road Traffic (Extension of Period for Payment of Fifty Percent Fixed Penalty) Order, 2022. [*The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan)*]
2. Financial Institutions (Capital Adequacy) Regulations, 2020. [*The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat)*]
3. Ministerial Response of the Ministry of Education to the First Report of the Joint Select Committee on Social Services and Public Administration on an inquiry into the effects of the hybrid learning system on student performance in government and government-assisted schools during the revised COVID-19 restrictions. [*Sen. The Hon. C. Rambharat*]

URGENT QUESTION**IMF Exchange Rate Report****(Action taken to address)****UNREVISED**

Sen. Wade Mark: Thank you, Madam President. To the Minister of Finance: In light of the IMF's latest report in which it stated that this country's real effective exchange rate was overvalued by some 20.4 per cent, can the Minister state what action, if any, will be taken to address this finding?

Madam President: Minister of Finance, you have two minutes.

The Minister of Finance (Hon. Colm Imbert): Thank you, Madam President. When the other side asks questions of this nature, it gives you some insight into what they would do if they were in Government. It is obvious that the UNC, if they ever get into Government in and around the year 2040, might want to—50 I am sorry—devalue the currency. That is obvious. There is no other reason for such a question.

But it is important that persons such as hon. Sen. Mark read the entire report. If you read on page 37 of the Article IV Consultation between Trinidad and Tobago and the IMF which is an obligation of all member countries who are members of the IMF, one will see this statement “Monetary and Exchange Rate Policy”, page 37:

“The authorities prefer to maintain the status quo on the exchange rate regime.”

So if Sen. Mark had seen that, he would not have asked this question. We intend to maintain the status quo with respect to our exchange rate regime, we do not intend to devalue the currency. There is absolutely no reason to do so. We do not have any of the situations that would lead to a currency crisis such as balance of payment problems, deficit in our current account or any of the other issues. We have adequate foreign reserves, the IMF has said so. So that I would ask Sen. Mark stop trying to scare people with this kind of nonsense.

Hon. Senators: [*Desk thumping*]

Madam President: Sen. Mark.

Sen. Mark: Madam President, without getting engaged at this time, may I ask the hon. Minister what measures or other measures that the Government has contemplated to bring the exchange rate back to its original level of 6.75 to 6.85 to one US rather than what exists on the black market today of TT \$10 to one US dollar.

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

Hon. C. Imbert: A ridiculous question.

Madam President: No, Minister. You have one more.

Sen. Mark: Yeah. Madam President, can the Minister indicate what measures are being taken by his administration to make the economy and more so the exporters of goods and services more competitive in light of this overvaluation as outlined by the International Monetary Fund?

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

ORAL ANSWERS TO QUESTIONS

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Thank you, Madam President. There are four questions on notice for response today and the Government will answer all four. Thank you.

Ministry's Vaccination Programme

(Effect of Fraudulent Practices)

60. Sen. Wade Mark asked the hon. Minister of Health:

Given the December 2021 investigation launched by the Ministry concerning fraudulent vaccination practices by some members of the public, can the Minister indicate what effect has said fraudulent practices been having on the Ministry's vaccination programme?

Madam President: Minister of Health.

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very much, Madam President. Good afternoon to you and good afternoon to all. The Ministry of Health is working with the Trinidad and Tobago Police Service to determine the prevalence of fraudulent vaccination practices and to take appropriate action. As of March 15, 2022, seven matters are before the TTPS of which three persons were charged with conspiracy to misbehaviour in public office, the four other matters are currently being investigated.

Madam President: Sen. Mark.

Sen. Mark: Can I ask the hon. Minister, through you, whether the Ministry has compiled a report on this whole fraudulent vaccination practices by some members of the public of Trinidad and Tobago?

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

Sen. Mark: Madam President, can I ask the Minister whether the Government is considering heightening its sensitivity programmes through education so as to advise members of the public on the dangers associated with this dangerous practice?

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

Sen. Mark: Madam President, can the Minister indicate whether there is any time frame he has been advised as to those cases that he has mentioned, seven of them, where citizens, according to him, have been charged? Can he advise us?

Madam President: Minister.

Hon. T. Deyalsingh: [*Laughter*] Thank you very much, Madam President. I have never seen such a fishing expedition. Madam President, the time frame will be determined by how long the investigation takes by the TTPS. The Ministry of Health is not a prosecutorial agency, we do not investigate. We hand over those matters to the TTPS and it will take as much time as the TTPS deem sufficient.

Report of COVID-19 Deaths
(Persons with no comorbidities)

61. Sen. Wade Mark asked the hon. Minister of Health:

Given the December 2021 report of the COVID-19 deaths of five persons who suffered with no comorbidities, can the Minister indicate whether said individuals were fully or partially vaccinated?

The Minister of Health (Hon. Terrence Deyalsingh): The lack of specificity in this question does not lend itself to an informed response. However, of all the unfortunate deaths from COVID-19 so far, 93.3 per cent of those deaths occurred in individuals who were not vaccinated.

Madam President: Sen. Mark.

Sen. Mark: Can I ask the hon. Minister in light of the question that I have posed, can the Minister indicate whether there is any data or statistics gathered by his Ministry to demonstrate that several members of the public who have perished may have done so without any comorbidities? Is there any data available to the Ministry?

Madam President: Minister.

Hon. T. Deyalsingh: Madam President, if the Senator would ask the relevant question, we will answer it. But the question that was posed for the consumption of the public to show how vague this is, the Senator wanted to know of five persons in December who perished unfortunately whether they were vaccinated or unvaccinated without giving names or any specific issues and we have been at pains every day to tell the population the comorbidities that people have in an aggregate manner and people who do not have comorbidities. We have been at pains to point this out throughout the past two years.

Madam President: Sen. Mark.

Sen. Mark: Can I ask the Minister whether he has data that he can share with this honourable Senate as it relates to that question of those citizens who would have perished as a result of COVID-19 and who did not suffer from any comorbidities? Do we have any data or statistics to verify this information?

Hon. T. Deyalsingh: As I indicated earlier, if—

Madam President: Well, Minister, I was about to disallow the question.

Hon. T. Deyalsingh: Or, sorry.

Madam President: Because of the previous responses given. Sen. Mark, you have one more question.

Sen. Mark: Okay, yeah. I will go on to Question No. 62. Madam President, go on to Question 62?

Trinidad Cement Limited

(Payment of outstanding COLA)

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

Given the December 2021 protest action by Trinidad Cement Limited workers demanding payment of outstanding COLA over the past seven years, can the Minister advise of the measures being taken by TCL to resolve this issue?

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

Thank you, Madam President. TCL is a listed company on the Trinidad and Tobago Stock Exchange and has been privatized since 1990. As such, the company has not been owned or managed by the Government of the Republic of Trinidad and Tobago in any form or fashion for over 30 years.

As the former education and research officer for the Bank and General Workers Union with responsibility for worker education programmes, Sen. Mark must know that it is not within the remit of the Government to advise on the

measures being taken by a private company such as TCL to resolve issues related to collective bargaining.

Madam President: Sen. Mark.

Sen. Mark: Madam President, can the Minister indicate as the line Minister with responsibility for trade and industry, a matter involving workers' interest in this country, whether the Minister has sought to investigate or enquire in any way in this matter that has been outstanding for seven years, conscious of what the Minister has just advised in this honourable Parliament.

Sen. The Hon. P. Gopee-Scoon: As the line Minister with responsibility for trade and industry and given my reply, can I say once again that I neither have the authority nor capacity to respond to you further on this matter. It is not within my remit.

Madam President: Sen. Mark.

Sen. Mark: Can I ask the Minister, through you, Madam President, whether the Oilfields Workers' Trade Union which represents these workers, 100 retirees and 200 permanent workers and who have been waiting for seven years for their COLA, can you indicate to this Parliament whether any attempt has been made to approach your Ministry to ask you to use your good offices to have this matter resolved?

Madam President: Sen. Mark, I would not allow that question based on the previous responses given.

Sen. Mark: Madam President, as the Minister of Trade and Industry who has an interest in protecting and promoting the interest of the citizens of this country, can the Minister indicate whether she intends based on this question and given the facts that I have put on the table, whether the Minister intends to intervene or seek some audience with the relevant parties to have this outstanding matter resolved in the

interest of all? Can the Minister indicate whether she will take an interest, the hon. Minister that is?

Madam President: Sen. Mark, that question is not allowed.

Sen. Mark: Thank you very much, Madam President.

Madam President: Next question, Sen. Richards.

Sen. Richards: Thank you, Madam President. Should I pose the question?

Madam President: Yes.

Sen. Richards: Good afternoon, colleagues.

Trinidad and Tobago Police Service

(Update on the acquisition of body cameras)

87. Sen. Paul Richards asked the hon. Minister of National Security:

Can the Minister provide an update on the acquisition of body cameras for use by the Trinidad and Tobago Police Service (TTPS)?

The Minister of National Security (Hon. Fitzgerald Hinds): Thank you very warmly, Madam President. Very happily I can report that the Trinidad and Tobago Police Service is currently in the distribution phase of body cameras having very recently acquired an additional 1,000 units for use by officers of the Trinidad and Tobago Police Service. Madam President, prior to this acquisition, the Trinidad and Tobago Police Service already had in its armoury, so to speak, 160 functional body cameras in use. Altogether therefore, Madam President, the police now has 1,160 body cameras and these have and are being deployed to maximum strategic effort across the Trinidad and Tobago Police Service in the fight against crime and in the spirit of transparency and all the other positives that such cameras would offer. Thank you very warmly, Madam President.

Madam President: Sen. Richards.

Sen. Richards: Thank you, Madam President. Thank you, Minister, for the

response. Can the Minister indicate given the, I believe, 6,000-strong membership of the TTPS, if there are plans to acquire additional body cams to furnish further officers in addition to 1,160 that the Minister has identified?

Hon. F. Hinds: A very logical and sensible follow-up on the previous question and the answer with equal pleasure is absolutely yes.

Sen. Richards: Can the Minister indicate how many cameras are intended to be acquired total for the TTPS?

Hon. F. Hinds: I could not tell you with greater specificity insofar as that is concerned but I give you the assurance that more are in contemplation and we will continue to expand the use of body cameras and the ambition is of course to make it a routine part of policing for the reasons that I have offered.

Sen. Richards: Can the Minister indicate given that body cameras entail use of technology if there is a comprehensive policy for use and maintenance plan envisioned by the TTPS?

Hon. F. Hinds: Well, not merely envisioned but there is a policy since they are already in use and that policy will naturally evolve and be refined as the circumstances demand.

Sen. Richards: Finally, Madam President, I have one more. Can the Minister indicate the cost of these body cameras, these 1,160 body cameras that as identified by the Minister earlier?

Hon. F. Hinds: I am not unable to say so but would be very happy to provide that to the Senator at the earliest opportunity.

Sen. Richards: Appreciate it, Minister. Thank you, Madam President.

Hon. F. Hinds: My pleasure. Thank you.

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

[Second Day]

Order read for resuming adjourned debate on question [March 08, 2022]:

That the Bill be now read a second time.

Question again proposed.

Madam President: Eight Members have spoken already on this Bill including the Mover of the Motion and we can now resume the debate. Sen. de Freitas.

Sen. Nigel de Freitas: Thank you, Madam President, for the opportunity to join this debate that is currently engaging this honourable Chamber which is an Act to amend the Immigration (Caribbean Community Skilled Nationals) Act, Chap. 18:03. I am coming in at number nine in terms of speakers in this debate and first on the second day so I think it is prudent of me to give, as I begin my contribution, just a brief summary as to what we are treating with in the Senate today for those who are now joining us today for the first time and listening outside of this Chamber.

So, Madam President, we have in the Bill that I just read out, the title of definitions in relation to clause 4 which some of the Senators that would have gone before had spoken to in terms of one or two issues that they would have had specifically with the definitions as it relates to dependents. I think it was Sen. Thompson-Ahye being the Senator that spoke to that.

And under clause 5, we speak to in this Bill the entry of Caribbean Community skilled workers for a six-month period and lay out the process as it relates to that as well as the entry of Caribbean Community skilled workers for an indefinite duration also laying out the particular processes as it relates to that.

Under clause 6 of the Bill, we look at the situations in which the certificates that are given could allow non-nationals to move between Member States and the situation that would render that particular certificate invalid. We also have under clause 6 instances where a process is laid out where an individual who has a particular skill certificate wants to change their employment within a category and outside of categories and we lay out the process that needs to take place where the individual would need to reapply for a skill certificate to indicate such a move.

Under clause 7, we have the conditions for revocation by a Minister of immigration and again, the process is laid out as to what are the conditions that would cause such a thing to happen.

Moving on to clause 10, we have that the Caribbean Community Skills National Register is being set up and within that process and within the clauses there, you have data protection provisions put in place to ensure that the data that is collected from the non-nationals who would be utilizing these particular pathways that are put into this Bill that their information is protected and not leaked out to the public.

Under clause 12, we have the expansion of the qualifications that satisfy requirements and you can find the total list that is being proposed in Schedule III of this Bill and the Minister of Foreign and Caricom Affairs has indicated that there were five prior and now we have expanded to more than five. So you will find that in Schedule II of this Bill. It includes musicians, artistes, artisans, teachers, media workers, professional nurses, a holder of an Associate Degree or equivalent, a domestic worker with the Caribbean Vocational Qualification, an agricultural worker and to include, as well, a security guard.

So, Madam President, clause 13 which is another clause in this particular

Bill that Senators spoke to, especially Sen. Thompson-Ahye who had some issues, it speaks to the ability of the spouse of a principal applicant to be able to work without having to apply for a work permit.

In relation to familial issues, clause 18 also speaks to the spouse being able to maintain such a status, even after divorce takes place, after a period of five years of living in the said country with the principal beneficiary.

So, Madam President, we have had several Senators who spoke onto this Bill, Sen. Thompson-Ahye being one of them who spoke to issues in relation to, like I said before, the definitions of dependents and the issue that she raised in the context of the definition given what would happen to in-laws of the principal applicant if they wanted to also come to the new country with the principal applicant and she indicated and pointed out that that was not catered for in the Bill.

She also spoke to as it relates to clause 18 what will happen within that five-year period where a spouse that has accompanied the principal applicant or principal beneficiary, if it is that the marriage breaks down within that five-year period for any number of reasons and she identified domestic violence as one and if it is that the spouse at that particular point in time would then lose all the benefits that they have gained having been a spouse as per the definition in the Bill, that if it that they would have lose all of the benefits that they would have gained having been married and that something should be put in place to sort of protect it in terms of within a five-year period. And I would respond to Sen. Thompson-Ahye when I get later down in my contribution.

Sen. Vieira spoke and in his contribution, he understood the assignment and he understood what this Bill was trying to achieve and for that, I commend him because most of the other speakers that came outside of the Independents went in a

very different direction. Sen. Mark was, for lack of a better word, being himself. Sen. Lyder, I would say, threw me for a loop in his contribution and I will address that when I move forward. Sen. Lutchmedial, in her contribution, was tempered and there were two issues that she raised which again, I would respond to those two specific issues. But let me start with Sen. Mark.

Now, after Sen. Mark's contribution, I said to myself when Sen. Mark is done with politics, I think he has or can acquire a very lucrative career in writing fiction. He has a very good imagination. Let me explain why I say that. So Sen. Mark would have said several things but there is one thing he latched on to, went into the public domain and expanded upon that. So much so that the Minister of Foreign and Caricom Affairs had to call a press conference and respond specifically to that because you cannot leave something like that being said in the public domain lest people believe it. So Sen. Mark's biggest argument in relation to why this Bill cannot be supported is because of voter padding or the potential for voter padding.

2.00 p.m.

Now to those listening, and I would say to the Minister of Foreign and Caricom Affairs, I understand how difficult it must be to respond to works of fiction in a serious manner, but if you are engaging to do so, you have to delve quite deeply. And we all heard the response of the Minister to Sen. Mark and this accusation of voter padding. In that, the process by which a non-national could become eligible to vote is laid out and has been laid out in law, long before the CSME, long before this particular Bill was here. And even with the CSME, as it was implemented and the categories that were allowed prior, that that was always something that could have happened, as was laid out by the laws that govern that.

But let me just explain to those listening exactly what Sen. Mark put on the record and exactly what he was trying to say. To do that you have to understand what is voter padding and the definition thereof. And let me give you the simplest and most general definition of voter padding. So voter padding is the movement of individuals from one constituency to another towards the end goal of securing an election victory. The assumption that is had when talking about voter padding is that a particular political organization is engaging in the movement of those individuals from one constituency to the other, to secure a victory for them.

Now, if we were to take Sen. Mark seriously in what he is saying in the context of the Bill that is before us, let me broaden that definition and then walk you through the steps. So to broaden the definition, in order to make what Sen. Mark is saying non-fiction, you would have to state that voter-padding is the moment of individuals from area, point A, to point B, in order to secure an election victory, not taking into account geography, culture differences, social differences and political differences between nations.

That is what he is essentially saying. So what he is trying to make this population believe is that party A has somehow gained enough influence to undermine, usurp and overcome all of the political organizations in another country, to convince citizens of that country to pack up their Georigie bundle, sell off their assets, take their children out of school, come to Trinidad and Tobago, be placed in a constituency, so that they could vote for that party. And if that sounds crazy, you now understand why I say that Sen. Mark is imaginative and he could succeed when writing works of fiction.

Let us take the assumption that I indicated with the definition of “voter padding”, which is that you are moving individuals into particular constituencies to

be able to vote for you, so that you can win an election. So what he is essentially saying, as it relates to this Bill that is before us, which speaks to the movement of individuals from one nation to another, and the ease of doing so with the ability to work, is that an individual who has taken the decision, for whatever reason, to seek out a better job or a better life in a Member State, is doing so predominantly because they want to vote for a party in that State.

This is about the third or fourth time I have heard from Sen. Mark in relation to any kind of electoral process, with his tonality and his inference that somehow in a healthy democracy, you can guarantee a vote from an individual. How are you doing that? Even if you take that leap of imagination to believe that a non-national is picking up their entire life to come to another country specifically because they want to vote for a party that they know nothing about, how are you guaranteeing that vote under the definition of “voter padding” and the assumption that voter padding makes? That is why I say it is nonsense, feats of imagination, and works of fiction. This Bill has nothing to do with voter padding.

Madam President, I move on to Sen. Lyder. Sen. Lyder, Sen. Lyder, Sen. Lyder. I am glad that we came back a second day to do this Bill, because if I had to respond to Sen. Lyder last week, it would have been a different situation. I cannot understand the pathway Sen. Lyder took in opposition to this Bill. I tried to wrap my mind around it; it did not work. I thought about it, and I thought about it, and I thought about it. I thought about whether I should respond, and I got up this morning and I said let me make it a teachable moment. Sen. Lyder’s biggest comment was: they are coming to engage in criminality; they are coming to engage in prostitution; they are coming to take our jobs. Sen. Lyder, I would say that that contribution, for lack of a better phrase, was judgmental, bordering on

disrespectful and discriminatory.

This Bill seeks to strengthen something that we all need right now, globally, regionally and locally, which is a sense of community. It seeks to strengthen, not start, because it has been around for a while and we are amending it. It is not fostering for the first time, but it is strengthening, through these amendments, through the parent Act, that sense of community that is needed.

The Bill seeks to ease the movement of skill sets between participatory Member States, and I honestly thought that Sen. Lyder would have recognized the merits of such. Instead, what we got was a debate of community versus individualism, a me-only attitude put forward by Sen. Lyder, littered with xenophobic utterances, which have roots in an outdated and primitive level of thinking. Listen to what he said: “They are coming for our jobs, engaging in criminality, engaging in prostitution.” How do you know that? Who told you that? Sen. Lyder, in case you did not know, Trinidad and Tobago as a nation is cornucopia of culture, a one-pot society made up of a pelau of people.

Every single year this country celebrates a holiday that speaks to the arrival of individuals to this country and in every single greeting from every single Bench we speak to their contribution to culture, their contribution to society, their contributions to music, their contributions to business and the development of this nation. So to stand up and say that they are coming to take their jobs is completely and utterly wrong.

Our very DNA as a people is built around the words togetherness and tolerance. And I am certain that if you shake the family tree of every single person in this Chamber, you will find a few immigrants falling out. And had they met the kind of thinking that Sen. Lyder put forward in this contribution, none of us may

have ended up being contributing members of society as Senators in this Chamber. This is part of who we are. Trinidad and Tobago is made up a myriad of people coming from different places, all of whom have contributed to the development of this country and making us who we are today. So Sen. Lyder, no. I disagree wholeheartedly with your statements that this Bill is not for now, because times are hard. Look around, times are hard for everybody. We are still in a pandemic and treating with the threat of world war. That is the point of a Bill like this, for fostering that level of community, where we can share skill sets with each other and build each other up. Now is not the time for that type of thinking.

And if you want to understand that even deeper, and you take a look at Schedule III, Madam President, and some of the areas in which these skill sets are being allowed to come in, inclusive of the five that was there before. Let us just take a look at a musician, for example. And if you want to understand why Sen. Lyder is wrong in the way he was thinking, the greatest calypsonian that we have in Trinidad and Tobago, the greatest of all time, was not even born in Trinidad and Tobago; migrated here with his parents at a very young age. That is the kind of potential that this Bill has in it when we allow for these categories and these skill sets to come.

He is talking about taking jobs. Well, I say they have the ability to create jobs; when you have an artiste that is able to move along freely, get a skill certificate and come. Let us think of a painter, for example. The painter comes, they are renting studios to be able to show their art. They are buying utensils and paint brushes and paints and everything from shops right here in Trinidad and Tobago, because here is where they are. That is the kind of thing that we are talking about. A musician comes. They are in recording studios. If they are

throwing a fete, you have vendors. You have the location that they are paying for. You have people working to execute that particular event. So it is not just about scare tactics to say: “Oh they are coming for your job and oh they are coming to do this, and oh they are coming to get engaged in criminality.” That is not the case.

I move on now to Sen. Lutchmedial. And there were two things that Sen. Lutchmedial stated that I wanted to respond to. One was when she asked: How are you going to monitor the implementation of this? Now, Sen. Lutchmedial, my experience with processes like this one, normally monitoring is something that would occur in conjunction with the private sector. Let me just explain how. So if you take a look at, I think it is clause 6, Sen. Lutchmedial, 4C:

“Change of employment outside of approved categories:”

Now normally in this process, you would you have your certificate which would indicate where you are employed and which category you are employed in. And it is already stipulated in the Bill that if it is you want to change your category within categories or outside of a category that you actually have to apply to do so to get another certificate. In conjunction with the registry that is to be setup, also laid out in this Bill, what would normally happen in terms of conjunction with the private sector is that, if it is I leave a job with an employer, the employer can and should notify immigration or the registrar that this person is no longer employed with that company. That is one way that monitoring can take place.

Now, I understand the situation where you could be employed with an employer for a decade, for example, and you decided to take up a job within the same category but with another employer, and of course 10 years have passed so you are not really looking at this particular piece of legislation and say: “Oh my God, I need to let immigration know that I have changed my employment”, but the

point is, that through the process of living here and certain actions that would be taken, whether it is opening a bank account, whether it is applying for utilities or what not, a job letter would normally need to be given in order to execute these things. And the reason why I say working in conjunction with the private sector or these entities can help you to monitor that particular situation, is based on the idea, and I have seen this happen in other countries as well, dealing with immigration processes, where, if you are a non-national in that particular country, then you are identified as such in various ways.

Madam President: Sen. de Freitas, you have five more minutes.

Sen. N. de Freitas: Thank you, Madam President. So are identified as such in various ways. So that, if it is you are opening a bank account, the bank is aware that you are a non-national, they are asking for a job letter. They have the ability to take a look at your certificate, which says you are supposed to be working in one place, but the job letter is actually for another place and then immigration can be notified in that way. So that is one way, Sen. Lutchmedial, that you can engage in monitoring, if it is you work in conjunction with the private sector, in terms of the implementation and execution of the clauses in this Bill.

The other thing that Senators raised in relation to this Bill, Madam President, this is Sen. Thompson-Ahye, she was talking about gap children, in relation to the definition of “dependent” and she was speaking to gap children who take a year off before they start school and whatnot. When I thought about it I said the only real instance where that could be a problem, Sen. Thompson-Ahye, is if the child is home and unemployed. Normally gap children are doing one of two things, their either working for the year to gain work experience or they are travelling to gain world experience. If it is that they are travelling, then a parent moving from one

country to another is not really the issue there. If it is that the person is working then they are making money for themselves and then after the year they are going into university and then they will be captured by the Bill that is before us. However, the individual that is home and unemployed, which is the only particular situation that I have identified that might fall outside of this, that is something that I believe that would be a familial discussion that needs to take place as to how that would be treated with. But if it does become a problem, if you read on to further down where you have the dependents, it speaks to the Minister being able to make adjustments in relation to that. Of course that is if, in the execution of this particular piece of legislation, you notice that that is something that is coming up as a problem over and over again.

So, Madam President, in conclusion, I would like to say that the Bill makes every attempt to foster a greater sense of community between Member States, through the sharing of skill sets. Such a thing is imperative, now more than ever, given the global economic climate that we have ourselves in.

To understand what I am saying, I would repeat a quote that I have said in this Chamber before in relation to another debate that we had, but I think it is more pertinent here, and that quote is:

In times of hardship the wise build bridges whereas fools build barriers. Let us not listen to those that would have us build barriers, lest they make fools of us all.

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

Hon. Senators: [*Desk thumping*]

Madam President: Sen. Nakhid.

Sen. David Nakhid: [*Desk thumping*] In the name of God the most gracious, the

most merciful. Madam President, I would like to thank you for allowing me to join this debate. And as the hon. Sen. de Freitas ended with a quote, so I would begin with one.

Anton Chekhov, a famous Russian playwright stated that:

Common—“hypocrites pretend to be doves; political and literary hypocrites pretend to be eagles. But don’t be”—fooled—“by their eagle-like appearance and qualities. They are not eagles, but”—rather—“rats, dogs”

Sen. Gopee-Scoon: Point of order, 46(4), 46(6).

Madam President: Sen. Nakhid, continue.

Sen. D. Nakhid: Thank you, Madam President. The point of that, Madam President, is that eagles soar. They have lofty ambitions. There is no difference with this Bill. It is lofty. No one disagrees with the idea of Caricom unity, integration. It is all what we strive for. I think we are all Caribbean people, finally. I like the allusion to where we all came from. I could trace maybe three or four different origins of my family, as Sen. de Freitas stated.

But that does not neglect or gloss over the realities that we face as a country right now. And this has always been my problem with this PNM Government who seem to neglect the realities that we face right now, post-COVID, that they themselves have alluded to time and time again. And if you are in a post-COVID-19 economic recovery crisis, where we have not heard or implemented a single thing from that economic recovery committee, and we come here today and last week to talk about free unrestricted movement across the Caribbean, when we know that we are faced with a job market that is in tatters; 130,000 people off the formal sector. Imagine, Madam President, what is going on in the informal sector.

And that is why I continue to say that this Government is divorced from the economic realities on the ground. They are divorced from the dire consequences economically that people on the East-West Corridor face. So do not take affront to my quote from Chekhov.

This Bill, in reality, is a political Trojan horse. In the eyes of people who do not know better, a pretense of caring for Caricom. But in reality, it is an attack, a destabilization, a denigrating, a humiliation, of the citizens of our own country. And who are these citizens that will be affected by this Bill? People spoke about it. I think Sen. de Freitas, Madam President, was seriously misplaced to place it in the category of prostitution, and so on. That is fear-mongering. That is sensationalism.

Given the type of jobs listed, without specific criteria, without a narrow, narrow focus on exactly what can come in, like in so many other countries, and I would get to that, what takes place in other countries, because essentially this Bill has to do with socio-economics. That is what this Bill has to do with. So it is not a Bill that is divorced of social implications and economic implications therein. It affects those, and that is what that side, they do not seem to understand. So although this Bill might look good in intent and for the lofty ideals like the eagle, let us examine why Chekhov referred to it as something much lower than the eagle.

We are talking about a Bill that would allow security guards, artisans, athletes, sportsmen, et cetera. Let us be brutally honest, Madam President. Let us stop the political hypocrisy. All politics are local in the end. So although it is regional, there are local implications, especially along places like the East-West Corridor, where I grew up with people playing football there and who now are in dire, dire straits economically. Food insecurity at a maximum, no access to proper grants, and having to turn to a life of crime where we all look at them and say look

committing crime all over the place. But there are reasons behind that, and Bills like these contribute to that, Madam President. So we have to ask ourselves: Why at this time, where admittedly by the PNM themselves, by this group, they admit that we are in serious economic straits. How would this Bill help our citizens? We have to ask ourselves: How would it help? How would it help? Would it provide better job possibilities/opportunities for the people that need those jobs?

Well, let me give you an example. In 2019, there was a meeting by the Council of Latin American and Caribbean countries talking about that vision 2030 for sustainable development. That meeting was held in Santiago, Chile. And they, in 2019, this is pre-COVID, and I quote:

“Caribbean countries face a difficult situation today...”

Myriad of problems—

“from the effects of natural disasters to a shortage of resources, complex access to financing, narrow fiscal space for introducing social reforms, and the burden of high levels of indebtedness...”

That is in 2019, Madam President, before COVID-19.

What is the situation now? I think even that side will admit, it is exponentially worse. So given this report, and that is not a UNC report. That is an independent report. Now you come with this Bill, with a job market in tatters, no specific criteria to have only highly-skilled people because nurses flying out of the country. “My niece just de odda day”—because I come from a family of nurses; my mother was a nurse for 50 years—“my niece gone to England, fly out de country.” Two weeks later, two of her friends followed. That means what, Madam President? That means that jobs here are not available. That means that we have a serious unemployment issue, as I stated before. So nobody here is talking about

prostitutes will come. I know—I recognize and I will call it out, the dog whistling to what type of people will come and Sparrow was a Grenadian. Well, I think he meant Sparrow. Sparrow was a Grenadian and whoever. That is okay. That is not what we are against. What we are against is making sure that the citizens of this country who are unemployed get a job. It is simple as that. It is nothing complex, you know. The economics now, post-COVID, is not complex anymore. Post-COVID, the economics is the reality: How do we put our people back to work?

2.30 p.m.

And you bringing a Bill here, to bring more competition into the country to keep people out of work, and this is where it gets devious, Madam President. Why—who are the people would be affected? So if we are talking about barbers and artisans and sportsmen, something like jobs that mostly the people of the East-West Corridor do and the rural areas. And if those are in political reality part of your—what we call PNM constituencies, why are you looking to affect those people that support your party? Is it because you realize that the support within those constituencies is dwindling and you want to shore them up? If you want to call it voter padding, that is you, but do not tell me that is not a political reality.

I just spent a month and a half investigating the development taking place in St. Augustine Nurseries. St. Augustine Nurseries, land that was allotted to make sure that we can stabilize the agricultural sector and you all are building a development on that land in St. Joseph.

Madam President: Sen. Nakhid, I have to caution you here that you need to treat with the Bill. You are straying—you going a little too far from the Bill now, so I need you to come back to it please.

Sen. D. Nakhid: Guided, Madam President. And hear how I will come back to it,

Madam President, as I said before the socio— *[Interruption]* He comes alive. Madam President, as I said before, this in effect is socio economic and to speak about this Bill in a vacuum serves no one, it does not even serve that side, because what is it? It is, Madam President, at the end of the day, poorly written legislation and I would give you an example—we have here clause 19 that:

“...would amend Schedule II of the Act to...specify the necessary application form required when applying for a Certification of Recognition...”

There are some matters which are pertinent to the issues raised in this debate. The form Part A indicates the categories with only five listed being: university graduate, media worker, musician, artiste, sportsperson. However, Madam President, we have just detailed over about 140 Caribbean Vocational Qualifications certifications. Where are these categories represented in this form? Or is this form—or is this going to be penciled in on the side of the form by the interviewing officer?

How are we going to treat with that? When we scan lower down the form we know that there is a field for name of dependants and spouse. The form asked of relationship, date of birth, passport number, expiry date. But Madam, the principal, the principal applicant who should have to produce a certificate of police character, where is it listed that a spouse also has to do so, who is also entitled to work? How are we going treat with that? How are we going to treat with that eventually? It is just another example of how poorly written legislation can have an effect that we cannot fathom, Madam President.

Another thing I realize with—through you Madam President, the Minister of Foreign and Caricom Affairs, he said he would come back at the end and give us more statistics because there really was not any proper comparative analysis done.

He mentioned the EU but I ask—I have to ask him, how feasible this legislation that you propose now, given the fact that the EU who was formed in 1958 but only began with free movement in 1992, decades after, and only when certain conditions were put in place.

Now, they did not form and then wait decades and then just come up “vapsy-like” and say okay, let us start with the free movement. Conditions were put in place, because I lived in Belgium from 1990 to 1992. And I remember—and I still have my academy there so I go there. So, I remember in 1990 when I first went there, I was surprised at the lakes and the little drains and so in Belgium, they were filthy, they were filthy—industrial waste clogged up—I was surprised that that was Europe, having lived in Switzerland before which was immaculate, only to find out within two years, one of the conditions for movement—one of the conditions to have people move and be employed and so, were that those European countries had to clean up their act. Those European countries, for example, like even in Belgium—we speak about Belgium again, there was a serious refugee problem within Brussels—a lot of refugees without employment. The European Union, one of their conditions was to make sure that there was better integration of those refugees, better integration of those migrants in order not to have a serious imbalance within the EU.

Now, if we look at our reality within Trinidad and Tobago, where we deal in oil and gas, we have manufacturing industries while a lot of the Caribbean Member States, they have to rely on tourism. Do you not see that there is an obvious potential for imbalance there? Do not come with your dog-whistling, answer the questions. Do you not see that there is a serious imbalance—

Madam President: So, Sen. Nakhid, that expression that you are using is imputing

and making certain inferences and I would ask you to desist from using that expression.

Sen. D. Nakhid: Okay, Madam. Do not try to suggest that we have any other motive other than we want what is best for the citizens of Trinidad and Tobago. How is that, Madam President?

Hon. Senators: [*Desk thumping*]

Sen. D. Nakhid: We are concerned about the citizens of Trinidad and Tobago, we are not really on anything else as you would like to say, we are calling it as we see it, we are calling it as the Bill proposes. You are telling us in this time, in this guava season, when the EU who you mentioned put things in place to make sure that migrants did not present an imbalance across the EU, so in other words, Belgium, France, Holland, all these countries, they had to have conditions in place where no imbalance within the system, within the Union would be present. You have not put those conditions in place.

If we have 200,000 unemployed in the informal sector, how have you put those conditions in place? Well, I hope, as you said Minister, that you would bring those statistics at the end and let us know how is it looking for us to go outside as well as for people to come here? Because as far as I know, Minister, Trinidad always looks good for the other Caribbean Member States. I do not know if that is reciprocal, okay? And by the way, Madam President, through you, I would like to remind the Minister that it only takes one year for a resident here to have the chance to vote. And you stated that it takes five years. I hope you would also address that when you contribute at the end. That is wrong and I—you know, I do not want to harp on it because that is just an easy target, low hanging fruit but as the presenter of the Bill, you should know better, you should know better.

So, the EU recognized that dilemma that they were faced with and that is why they waited decades and made sure everything was in place, conditions were right, before they started with free unrestricted movement. What else can we gather then if those conditions are not in place. What else can we gather if a Bill that might bring enormous economic disaster, further disaster I should say, into those impoverished communities in Trinidad and Tobago that are mostly under the leadership, stewardship of the PNM, then what are we to gather, Madam President, that this Bill represents other than what they alluded to, which is an attempt to gerrymander, an attempt to have some kind of shift of voter representation. And I do not appreciate or I do not recognize Sen. de Freitas' point when he talked about geography and cultural—I mean, I could give you an anecdote.

There was an interview on TV—on TTT and the interviewer was interviewing a security guard Madam President, one of the—

Hon. Senator: [*Inaudible*]

Sen. D. Nakhid: Pardon? I am hearing some crosstalk, Madam. So the interviewer was interviewing this security guard and quickly he realized, the interviewer, that the security guard had a little accent and it turned out to be Nigerian. So he shifted the line of questioning and he asked him, well, who do you support? And he said he supported Rohan. And he said who is Rohan? Then he said he supported Ramad. He said who is Ramad? The poor man in his ignorance was trying to say Rowley. He did not even know who he was supporting. My point, Madam President, is—

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

Madam President: I actually have to uphold the point of order that has been invoked. Sen. Nakhid, I would ask you please to treat with the matter that is before

us, which is the Bill, and ask you to move on.

Sen. D. Nakhid: Okay. Well, Madam President, what I am showing is that this Bill, in its—poorly drafted, as it is, not only that, given the dire situation we find ourselves in economically, I think this Bill, quite rightly stated by Sen. Mark, Sen. Lyder and Sen. Lutchmedial, is nothing more than a political Trojan horse for this Government because it really does not solve the problems that we are presented with post COVID-19. And they have yet, none of them have yet to show us how it does. So, rather than the trite talk and so, answer the questions. How are you prepared to show us that this Bill would provide employment for our citizens of Trinidad and Tobago? Because I heard about fences and so, but good economic fences, Madam President, make for good economic neighbours. That does not mean that we have to be closed, it means we have to be sensible. It means that we have to make sure that our country is protected. I am talking about exactly what the EU members did before they embraced free movement, unrestricted movement in 1992.

So, for an emerging Caribbean economy, single market economy, there needs to be a certain amount of scaffolding in place, Madam President. There needs to be a certain amount of cover which will cater for our small, medium and micro enterprises, because they are going to be, if you want to move forward as a country, they are going to make up what we will call the backbone of the economy. It cannot be the same old same old, it cannot be. It has to be an attention to the root, Madam President. It has to be attention to the people who are being left out of the system. What a perfect opportunity we have right now. And this Bill is not that. What a chance in this post-COVID world to deal with it from the root up, make that social equation, make it feed the root. This does not do that. This Bill does not

feed that root that is withering, because if that root dies—and pay attention, I am talking about the political reality we are faced with. If that root dies, the crime that we are seeing across the country is a garden party. And that is serious stuff I am talking about. You cannot bring migrants—does not matter where they are from. You cannot bring migrants into a situation where they are forced to struggle and survive. How are we going to cater for them? I will be more specific. A security guard, one of those listed who I spoke about before, or a welder, or somebody who comes here and has meager employments—

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

Sen. D. Nakhid:—how is he going to—thank you, Madam President. How is he going to cater for his spouse because here he can bring his spouse, he can bring his dependants. You think a security guard with his spouse and dependants can have a decent living here in Trinidad and Tobago? With rising food prices, inflation, prices at the pump going up. I am talking to you about the reality that we are faced with on the ground, not this lofty ambition of a united Caricom—we are all for that. We are all for that. But the people on the East-West Corridor do not live where you all live.

Madam President: Sen. Nakhid, you have five more minutes, but can you in the five minutes, either wrap up or move on to some new points because you are now repeating, you are saying now, exactly what you started your contribution by saying. So, I would ask you please.

Sen. D. Nakhid: Well, then, Madam President, they say sometimes for those hard of hearing, repetition is good, but I will wrap up, Madam President, based on your guidance. Madam President—

Hon. Senator: [*Inaudible*]

Sen. D. Nakhid: We have one President, pat down. So, Madam President, in wrapping up I would like this Government and the good Minister, who to be honest, I could see there was some sincerity in his presentation, I must say, but again, misguided. I would like for this Government to finally embrace the fact, finally get out of their echo chamber and bring legislation that redounds to the benefit of the people who need help, Madam President. And in this Bill, there is none of that, there is only political hypocrisy. And I thank you, Madam President.

Hon. Senators: [*Desk thumping*]

Madam President: Sen. Deyalsingh.

Hon. Senators: [*Desk thumping*]

Sen. Dr. Varma Deyalsingh: Thank you, Madam, for allowing me to participate in this debate today, a Bill to amend the Immigration (Caribbean Community Skilled Nationals) Act. Madam, this Act seeks to provide the free movement between the Caribbean islands. And this dream has been there for years, since—I think it was the 27th Regional Meeting of the Caribbean Heads of Government in, I think in 2006. You know, they wanted—they had expanded the list of workers from five to 10. So since then, this was on board, even after that in 2018, there was another meeting where they had established in three years' time they would serve to bring about—these 14 States would seem to bring about this free movement. And even before that, Madam, when the dream of the West Indies Federation was there years ago, you know. There was a dream to come together and that, as we know the history of that, it had split up when I think our Prime Minister made the statement that one from 10 leaves zero, and that dream was dashed.

But even at that time, the Prime Minister then, the honourable Dr. Eric Williams did say there would have been a great economic burden to Trinidad and

Tobago to run that Federation office and whatnot. So, the fact that the finances even then would have been something that would have been brought to light. And in the discussion here, I heard over the last day and today that some of the concerns were economic concerns—could we afford this? I heard the advantages, the disadvantages and in my deliberations it serves to me, you know, to know, what is the correct thing to do?

Now, I must say, I have always believed in Caribbean integration—I lived two years in Barbados, I delved into the culture, I used to enjoy there. I lived four years in Jamaica. So I really have my fond memories there, I have the fact that I have friends there, I still keep in contact with them. So I have these feelings to these islands, these beautiful islands, and it is like a brotherhood existed with my memory. So in a sense, I may have been biased in this and I wanted this to work. And I also would have had discussions with other members there who I—persons who I knew and we always had common goals for the Caribbean, besides the cricket, we had the fact that music could have been developed, I mean, it was a goal. And I also served as a board member of the Caribbean Accreditation Authority for Education in Medicine and other Health Professions—this is CAAM-HP. And in that body, myself and other Caribbean professionals would have been there to path—get the way forward, how are we going to get health professions to be moving from country to country? How are we going to get doctors to be able to have that standard to be able to practise in different islands and to come across—and we saw the need so, part of our meetings, our discussions were there.

And I was also a member of the Caribbean Association of Medical Councils where the movements of doctors would have also come into play. And some things came about where we would have had reservations of persons coming into the

country and not being able to have a certain standard of care—not being able to have a certain level of education, sometimes coming into the country with, you know, not any sort of checks and balances. So, having that there with the medical professions and other health related professions, I looked at this venture today, and I said, okay, if we are going to let in persons, and they have to have that certificate, that we are asking about—and really speaking, having that certificate will give a level of, you know, idea that we are doing something right, they got some training in—and having the level of training that different countries would have established and allow persons to come in, would have given us that idea that persons of a certain caliber may come in. But this is my fear, that other persons could slip in, and come here to work and give a slip-shod job, and we have no way of getting any sort of a way to go after them. For instance, let us say a carpenter comes here—a contractor, he does his work, he messes up your job and he just goes back to his country. Do we have any way of listing that carpenter? Let us say, there is another person comes in here to do something, Madam, I do not, you know, I understand that the piece of legislation here states that you could get the work permit. When you come in, you will, you know, you can get a—you know, if you look at—when I looked at section—well, yes, clause 5, and in clause 5, it makes mention that, you know, persons who would come in here:

“Where a person is permitted to enter in Trinidad and Tobago for a period of indefinite duration under subsection (1), the immigration officer shall affix an appropriate stamp in the passport of the person.”

I do not like this idea about indefinite, because you are definite, but you could be coming up here and causing havoc in whatever field you come to do and you just could come in and out. I am thinking there has to be some way whereby

the public who may be hiring these individuals may have to say well, okay, if there is an association for contractors, if there is an association for entertainers, because an entertainer may come here, take money and just leave.

And so, there has to be—I am suggesting that somehow, not to have a carte blanche, people just come in. I am saying if they are going to come in, there has to be an authority—like the nurses could look—the association that was mentioned, would look at any nurses coming in and screen them. So good, it may be there for nurses, it may be there for the teachers, but what about all the other persons in the Schedule? We will have to somehow develop whereby, if a sports person comes—if he comes in and you know, he has been using steroids or whatever, how do we have this—he is coming in, indefinite periods so I disagree. I am thinking it should be either some way we should get to formulate year, two years, not at that indefinite.

Also somehow I am thinking, you have to have local bodies established that could make recommendation that, you know, because you have the Caribbean Vocational Qualifications as a prerequisite for persons to come. But Madam, if I am a doctor, and I do not go and do continuing medical education, I may be redundant on my work. I could give you a simple example. I used to wire things home by me and there was a red, black and white wire and now I was confronted now with a wiring system with a brown, a blue and a green and I said but what is this? I did not know. It is an electrician who had to tell me no, we have changed the code.

So, persons coming in, if you did a vocational course qualification, they must have updates. I say every three years allow them, they are not going to come back in unless they either do it locally, by a local body to say you are an electrician

and you have now come up with our codes or—but the indefinite is something. So we have to get that and this is the point I was trying to make with this.

Madam President, when I looked at the Schedule also, I may say you have artistes, musicians, sportsperson, media worker. Recently we had problems here where I think it was Mr. Devant Maharaj, you know, he said he was a media person and court said elsewhere. So we may have little difficulties in at least persons claiming to be something and this is why a media body would do this, just as how the professional nursing body could look or teachers could look.

And, Madam, when I looked at the Schedule of persons coming in here, it is good, it is good to have that movement. I would have dreamt a case where like in Trinidad and Tobago, we have a lot of cases of people waiting for cataract surgery. I would have loved if doctors in the Caribbean could come in, clear that cataract list, encourage them to come because they may not have that list there and persons paying for cataracts, \$15,000, \$18,000 may benefit from these people. So I am looking at, hey, we can benefit the population by offering them a less expensive service but you may get resistance from the ophthalmologists locally, thinking we are going to flood their markets and they would not have that. So we have to see how we are going to balance this.

Madam, I also looked at the fact that we are going to bring in nurses and teachers and I must say, some experience I had where, I had to hire a nurse to take care of my mother-in-law, and of all the local nurses, the Cuban nurses in ICU seem to be the best. I am not saying that to bad talk our local nurses but what I am saying, it seemed they had a different level of training, but, you know, that is Cuba, that does not belong to here. So what I am saying, so we may need persons to come

in here as nurses, we may need teachers to come in here but this is the problem I have.

Madam, a few years ago when the doctors were against, I think it was the present Minister of Finance was the Minister of Health and the doctors formed a body, a union and they were planning to strike. The Minister of Health simply removed the medical board from having the authority to appoint doctors to see who can come in, who cannot come in, and he formed a parallel health system. And in that way, the medical board was left impotent where this parallel system within the Ministry would bring in people from Cuba and every other country and it got a roundabout way to get into the system. Now, you brought in doctors; we do not know the quality of those doctors, we do not know how their training was, we do not know if they were fully under the Ministry and not under the medical board. So what I am saying here now, we have to look at misuse of this.

3.00 p.m.

Let us say—right now, in Jamaica the nurses are in some sort of industrial action. Right now, teachers here had some blackout or something. We have to be cautious that a government may not want to give in to the demands of a teacher who may have valid claims in the COVID, or give in to a nurse and to say who is complaining of overwork—one nurse to 60 patients in a COVID ward or whatever—and use this to bring in people through the backdoor, so our nurses and our teachers may be left in limbo. And you just say, well, just as how the doctors, a few years ago—you basically—good political move—you could simply say, “You all could sing and talk and march all you want or blackout all you want, we are bringing in these people.” So, we have to be careful with this. So, therefore, the dangers in that is that our local nurses, our local teachers—and some teachers have

not been appointed for years—may feel disadvantaged with this. So somehow we have to satisfy our nationals first, before we can go out and bring people in, and this is a concern I have here with the nurses and the teachers.

Madam, I also say, we have to look at—it was made mention I think by somebody in the Opposition that—the Opposition Bench that criminals could come in. Well, it is a fact that, you know, even though Sen. de Freitas said, “Oh, you know, you are trying to label everybody as one”. But Madam, the fact remains the United States, even looking at jobs, the ex-president Trump and his followers mentioned competition for jobs is a problem, and I have heard the same talk here, competition for jobs among local persons. They also had the problem with the voters. Because right now in the Senate in the United States, there is the—Democrats now are saying that, you know, people do not need an ID to vote and the Republicans are saying, no, you have to do that. You could just let, you know, immigrants come in. So, that discussion, even though we are having it here and we are getting hot-blooded about it, it is elsewhere also. So, we have to say though, if those are the sentiments that certain people may have, we have to ensure this piece of legislation puts some safeguards to satisfy the fears that people would have.

So, why I want to go into this, Madam, is because I heard Sen. de Freitas try to debunk Sen. Wade Mark’s and Sen. Lyder’s opinion about voter padding. Now, okay, Sen. Lyder—I mean, de Freitas, may think it does not exist. But, Madam, the fact is even in the United States this was an issue with migrants coming in to vote, even before—recently, I think sometime last year, the Leader of the Opposition did say that the ID cards were given to Venezuelans to vote. So, the sentiments are out there.

Now, the Opposition represents a lot of persons and if those persons have

this viewpoint, we have to see how could we, you know, put something here to satisfy those people to say it would not happen. And will it happen or will it not happen? Did it happen before? And, Madam President, I am not going to—I mean, Selwyn Ryan, there were other—the late Selwyn Ryan, there were other, you know, intellects, they did express the views at one time Trinidad and Tobago used persons to come in here to vote. So, I do not want to know if to call it voter padding or bringing in people, but it exists here and it is a fact.

And then, if you allow me, Madam, I would simply like to quote Brother Valentino. So, I am not quoting a politician. I am not quoting an intellectual who may be an Independent Senator before and people may say he may have some allegiance or something or some axe to grind. I am quoting a calypsonian. And remember, the calypsonian really would be giving a snapshot of history and Brother Valentino said—remember, he sang “Life is a Stage” and Brother Valentino—it was in a Staff article interview recorded in June 12, 2005, posting on July 07, 2005, he said, you know:

“The power of the word is something else”

He was talking about elections and how people would spread rumours and he was talking about what happened and he said here, and I quote that from him:

“Laventille is where the first voter padding started.”

So, we do not know if to call it voter padding or whatever.

“When the Grenadians and the small-landers and them came down here, they did not have any I.D. cards. All of them on the hill voted. The ‘Doc’ (Dr. Eric Williams) represented that area. That is why they are so loyal to the PNM. The ‘Doc’ used to say that they couldn’t beat him in John John. It was his constituency.”

So, even then, Madam, you know, race would have played a time then. Having a recalcitrant minority would have bring in people. So, you would have had allegations then. So, if it is expressed today, those allegations came through time. We have to put in the legislation, something that would make people who so think or are so fearful that they would say, “Ah, people could come in and work, but they are not going to be part of the voter process.” So, can we not somehow put in this legislation where you come in to work but after five years, then you would be allowed to vote? I think that could be something that could allay some fears whereby you are not actually stopping persons from coming but you are somehow satisfying the concerns that persons may have had due to our historical perspective that was named there.

So, we had again mentioned, Madam, the economic concerns and the economic concerns, obviously, we have a lot of persons here who are unemployed. I think a figure—I think Sen. Mark had quoted a figure he had got. I think it was 131,000. So, there is a fear that it may put persons at a disadvantage. So, while I agree with opening up our borders, while I agree with letting the people come in, I have the fear that after COVID, we are still “ketching” ourselves. So the timing I think may be a bit, in my concern, giving me a little problem because we did not even “ketch” ourselves yet. We do not know what is going on with persons who have lost jobs, persons who are unemployed. And I think Sen. Vieira made a very valid point. Why it is even though we have unemployed persons, there is still signage up for persons saying “Workers wanted”. So, we have to factor all these things in. I mean, is it the locals do not want the job or is it soon with the COVID economy we have, and, you know, we may have workers now reaching out for those jobs? So, we have to see, will it really put our nationals at a disadvantage?

You see, Madam, I have a problem with this because usually my level of priority is my God, my family, my community, my country and then my region. So, if we do not satisfy one first, I do not want to jump with region unless I am satisfied that even though it is something that I applaud, even though I have that attachment, even though I have tried before to get the integration with the medical personnel, with the COVID time, one and, number two, the fact that if we are now, you know, in a situation, we really do not know where we are going economically in terms of jobs. I am a little bit hesitant with the timing. I would wait until we “ketch” ourselves first to see.

Now, there are two ways I looked at it too, Madam. So, I was a bit concerned. I said, okay, if I want to hire a carpenter and the local guys are charging \$400, this could help me because I am now in economic hard times. So, if a guy comes in from Grenada and charging me \$200, it gains me, the economy could start going. So, there is an advantage also of those persons coming in at, you know—it could dwindle down, as I am saying, the fees. Just as how medical surgeries can come down, you could have that. The checks and balances of the work the person has done—will be doing is something I would have to—I say, we have to put something in place. Because I think Sen. Mark did mention it is 131,000 people who may be unemployed. So, we have to factor that if we could advertise jobs—because I do not believe in carte blanche, they just coming in like that. If you could advertise the jobs, and say there is a need, there is a niche, there is a gap in certain fields, then bring them in. Other than that, you know, I am hesitant to just bring them in willy-nilly. We could get to there eventually.

And, Madam, even before the COVID, I had met with the council in Belize and we were trying to get our young doctors here who were not even getting jobs

to go in Belize to work. This is something—it is a fantastic thing if we could get this thing going. So, it is not to say I am against it but I am looking at—but I am hearing what the Opposition has to say. I know they represent, you know, a mass of people who may have the same views. So, we have to put something in to satisfy them. Because, again, we have to realize that we do not want to be—I do not want to be here trying to please a national of St. Vincent to come in here to make it fair for them when my own countryman may be feeling that he is being, you know, not treated fairly. So this is a concern I have.

So, therefore, a concern I have, Madam, is let us say we are bringing in these workers, as said here, I think we should have them unionized. Because I heard the Minister who moved this Motion said that the TTMA and the business community—the chamber of business of commerce—supported this, they endorsed this. Good. But is that good or is that bad? Because we have to understand, Madam, business persons are there to make money. So, in a sense, they may endorse this. But then if you hire somebody from St. Vincent and they do not have a union or you could threaten them that you would get them out or, you know, somehow, you know, an old, cheaper labour, the business community may be a little bias in their support of this, you know. So, I am just saying, you know, for the labour to come in here and not have unionized persons who are here, or they probably just think some Trinidadians do not want to work.

Madam, some concerns were raised last time whereby when we looked at the persons coming in and you—and I think it was made mention by a few speakers that—when I look at clause 18, and clause 18 actually looks at:

“Subject to sections 5(2) and 10A where the spouse of the principal beneficiary is living or has lived with the principal beneficiary for a

continuous period of five years or more and is subsequently divorced from the principal beneficiary, the spouse and any dependent member of family of the spouse at the time of the divorce, shall continue to enjoy the rights and privileges conferred by this Act.”

Okay. So, when I looked at this, I heard some discussions about a spouse but remember, a spouse could also be a husband. It is not just women and women being discriminated in and whatnot. And the thing is—so I looked at it. My wife could go to work somewhere and I could go in too, the spouse. I did not look at it as a gender issue, even though last day, you know, it was International Women’s Day. So, I guess that is why the discussion then would have skewed towards that.

However, I looked at this in a way, and I heard some Members talked about, you know, you have to be married. But, Madam, there is research out there that if you are in a marriage, not a toxic marriage or abusive marriage, the persons there get less depression, less mental illness, it leads to a happier society, it leads to better children and a more productive nation. So, if you are encouraging persons to get married, if you are encouraging a spouse and it has to be a man, I see nothing wrong with that. I see this as putting a law that if you want to come into my country, yes, I know people could cohabitate. I know you could live with whoever or how many people you want, but you are coming into my country, I would rather people come in knowing that if you are in a productive marriage, the statistics show it is a benefit for the nation there. So, I would want it to stay as being a married couple because it is hard to tell if somebody is living with somebody for five years. If I come now and I just say, “Well, okay, you come with me, I would tell them you are living with me for five years.” What proof do you have? How are you going to prove that? I mean, if you have a marriage, you have a marriage

certificate, it is easier to have that.

And another thing I would like to look at, Madam, is the fact that we would be encouraging a society which I am thinking, you know, people may say, the laws could somehow help society a bit, and this is where I am thinking—so, come into my country. I have no problem with that.

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

Sen. Dr. V. Deyalsingh: Thank you, Madam. So, Madam, this is something here that I would have supported, to leave it as married individuals. I mean, but most marriages now, Madam, lasting four years, eh. So we might be in for some trouble but we are still trying. I think we could still try something like that.

Madam, the other problem I had is when I looked at clause 13 and they said that:

“(1A) For the period of the duration of a permission under section 3(1), the spouse to whom section 3 applies shall, notwithstanding the provisions of any other law but subject to sections 4 and 15, have the right to work in Trinidad and Tobago without the need to obtain a work permit.”

Now, that is a little dangerous I think. Because let us say I have some job and I want to get into this country as a doctor, and I get married to an artiste and both of us come to Trinidad as an artiste, then I do not need to apply for a work permit from the Government. I could just go and open my practice and open a doctor shop, and this is where I see there is a danger there whereby you are just having persons come in without the need for a work permit. I do not think—I see it is an economic sense to help the families, yes, but I see it could be misused, and I think some Senators did bring up this fact that it could be misused.

I must say that the other issue I looked at is the fact that if you are—yes,

acquiring property too, Madam. Madam, you know, so persons could come in and have the freedom to acquire property for use in a person's business. So, you know, I remember at some time, even in Tobago, there were certain things where even when people coming in, they do not want tourist to buy property. How will that go with them where there may be an influx of persons coming in to work in Tobago and they are buying up properties in the sea or whatever? Would there be any checks and balances with that?

A problem I looked at, Madam, is also when I looked at clause 4, when it looks to the fact that the children who may come in and your dependant children and also your spouse—now, Madam, I have a problem. You may have a child and that child may, you know—because they say even when you look at 4(c)(ii):

“(ii) under the age of twenty-five years and attending school or university full-time...”

Will these children will be checked for criminal record? Suppose I have a child who rapes someone or got in an accident or did something, I could just move to another country? Nobody will know him, and we move there. And do they check the children too? Will they also check, not just the main persons coming in to work, but the spouse for any sort of criminal events? This is what I would have concerns with, also a check up on those individuals too because people may misuse it like that.

So, therefore, I heard the advantages of it and I also thought about another disadvantage. Remember, our migrant population have jobs here now, those who got their permissions. And, at this time, they have some bad blood where with the recent death of an infant, they may think that we are now, you know—have no use for them and we are going to the rest of the Caribbean. So, they were here all the

time. And, you know, so I think the timing right now, let these ill feelings quell because our migrant population here, from Venezuela, may feel a bit—“Ay, why are they doing this now?”, even though we may have to educate them that we were trying to do this long time.

So, therefore, I say, all in all, I heard the advantages. I heard the fact that there is cultural expression, we could go out and sell our culture, but we have to be cautious, eh, Ma'am. Because, Ma'am, you see, if we do not get our own persons here—like remember, some of the East Indians will feel their culture is not shown on TV, in fillers in TTT, and there are persons who have been quoted, you know. So, you find Ravi-ji—may I quote, Ma'am. Columnist Ravi-ji wrote in 1993:

Our country—“...two...public FM stations...only”—had—“one hour of Indian music per week...

Shopping malls playing radio broadcast...”—

Madam President: Sen. Deyalsingh, could I ask you please to just, in your last minute or so, treat with the Bill that is at hand. You are straying a little too far now.

Sen. Dr. V. Deyalsingh: Sure. Thank you. Madam, all I just wanted to say, if there are sentiments there where certain people in the population feel that their culture was not mainstream culture and it is not, I am saying—I have three or four publications I can quote: The CRESC Working Paper 2012. I have a 2000 publication, ethnic identity, national days, where persons felt they were not really—the East Indian culture was not a mainstream. So, we have to accommodate them first before they feel they are now put in a greater minority. So, what I am saying, let them come on board before we expand to a national culture of the—

Madam President: Sen. Deyalsingh, your time is expired.

Sen. Dr. V. Deyalsingh: Thank you, Madam.

Madam President: Sen. Bethelmy.

Hon. Senators: [*Desk thumping*]

Sen. Yokymma Bethelmy: Thank you, Madam President, for the opportunity to contribute to this debate. But before I jump into my contribution, just allow me to address some points made by Senators who preceded me.

Now, Madam President, I do not want to touch on the obvious xenophobia coming from the Opposition Bench but some remarks made by Sen. Mark, Lyder and Nakhid which quoted a figure of 130,000 persons who were unemployed in Trinidad and Tobago, quoted from some non-existent report. Madam President, I have before me the 2020 and 2021 NIB report, please allow me to shed some light on the chairman's summary and she wrote:

“...we observed a”—net—“decrease of approximately 45,000 employees during the three-month period between March to May 2020 with trends indicating...slow recovery...”

Madam President, I am not sure if the Opposition remembers but, well, between the months of March and May 2020, we were in the heights of the pandemic. Many sectors, including the Government sectors, were given stay-at-home orders. So, we had employees at home, not working; employers having to make the decision of keeping on employees and not paying NIB contributions or even taxes in an attempt to keep people on. I remember even members of my family, they were asked to stay at home but it was not a situation where they were unemployed. Because the travel industry was so slow, they were asked to stay at home temporarily until things opened back up.

Madam President, allow me to go to the 2021 NIB report:

The financial year July 1st 2020 through June 30th 2021 was in some respects a difficult one as public health measures on a local and international level continued to combat the ongoing COVID-19 pandemic. Like many employers, the NIBTT maintained measures to ensure social distancing, implemented frequent sanitization as well as limited the number of persons coming in and out of various locations.

So, Madam President, my first point, one, is that the NIB does not measure unemployment, the CSO does. On top of which, as the NIB report stated, many of their workers, they were also affected. So their workers had to stay at home which means that there was not a constant update of the data coming in to NIB because persons were making payments through cheques, through boxes as well as we have an ageing population, and the NIB report also stated that:

It cannot be overstated that demographic realities of an ageing population in Trinidad and Tobago are producing a declining pool of our labour and hence contributing to the NIS, while simultaneously increasing the number of persons of pensionable age.

So that as well, Madam President, was one of the reasons why there was such a huge decrease in NIS contributions. It was because we had persons being at home, not receiving a salary, or employers being innovative enough to try and keep staff members on and delaying the payments of NIS contributions and taxes.

So, basically, when we look at where this Bill fits in, because of our ageing population, this Bill comes in at a perfect time because we now have a contracting labour force and we now have to seek ways to fill the contracting labour force. Madam President, so I just want to ask the Opposition, anyone making a contribution from here on out, please state the facts, please use the right figures

and use the right reports when stating your facts. Please do not give the people of Trinidad and Tobago any false information.

So, Madam President, subsequent to the Treaty of Chaguaramas in 1973, which gave birth to Caricom and the Declaration of Member States to participate in Caricom, CSME continues to evolve and the necessity to update and amend our legislation coincides with the inevitable evolution that cannot go unnoticed.

The movement of persons within the Community and, specifically, holders of CSME certificates is vital to unlock the richness within the region. This creates a vibrancy and cohesiveness that represents true community, integration and an invaluable mix that promotes shared value for the Community. For there to be increased competitiveness of our goods and services, the peoples of the Community must be able to move for business, employment and to benefit from the rights offered under this CSME regime.

The amendments to the parent legislation, piloted since last week into today, comes after it has been recognized that specific aspects of the law need specific adjustments. CSME evolves as we look forward to make the needed adjustments as a member of the Caricom. Trinidad and Tobago must uphold our responsibilities of the Community. At present, holders of CSME certificates are permitted to have free movement of skills and labour; free movement of goods, services, capital and the right to establishment.

Essentially, the CSME removes economic restrictions from allowing Caricom nationals to establish a business—sorry, and allowing Caricom nationals to establish a business in any participating Caricom Member State, therefore, providing Caricom nationals access to business opportunities in an abundantly diverse interregional markets, allowing the expansion of opportunities. CSME

holders can bring along their spouses or dependant family members to the country in which they move to.

Madam President, allow me to address some more specific clauses to bring my contribution into context. The purpose of the amendments, among other things, is to expand the categories of skilled nationals from other qualifying Caribbean Community States to enter Trinidad and Tobago under the CSME regime. What this does, Madam President, is not only impact our economy in a positive way, but it also represents our continued commitment to the Caricom Community.

Allow me to refer to clause 7 of the Bill, Madam President, where:

“Clause 7 of the Bill would amend section 5 of the Act by revoking subsection (2) and substituting it with subsections (2)(a) (b), (c) and (d). Subsections (2)(a), (b) and (c) would allow the Minister with responsibility for immigration to revoke the status of a permitted entrant in certain circumstances and subsection 2(d) would allow the Minister with responsibility for immigration to revoke the permission granted under the Act where the certificate is deemed to be invalid by the Minister of Foreign and CARICOM Affairs.”

Madam President, under the current Act, section 5(2) gives the Minister with responsibility for immigration who, at this time, can be identified as the Minister of National Security, the power to revoke permission granted where the person is the subject to an order made against him for his extradition, deportation or other form of surrender only.

It means, therefore, the proposed amendments operate in such a manner to expand the categories to which the Minister can revoke permission granted and these grounds, of course, protect us as a Member State by enabling us to cooperate

with other Member States in the interest of all parties. This expands to not only persons subject to deportation or extradition order, but also by operation of subsection 2(b), (c) and (d), persons deemed to be a threat to our national security, persons who pose a serious health threat in Trinidad and Tobago and persons who present invalid certificates.

However, Madam President, with the proposed inclusion of subsections (4), (5) and (6), where this speaks to the Minister being required to, prior to revoking any permission under subsection—sorry, under section 3 which were granted written notice of his intention must be given. This is an added barrier to avoid revocations being done in an ad hoc manner as it is recognized that with the movement—with the free movement of persons granted permission, life is taking place, business is taking place as the sole purpose of being granted permission under the CSME skills certificate regime was specifically for those types of activities to be conducted.

3.30 p.m.

Madam President, permit me to direct you to the proposed inclusion of section 7, which is clause 10 of the current Act; the new section 7A, 7B and 7C. This, Madam President, speaks to the establishment of:

“...a Caribbean Community Skilled Nationals Register which would be required to be maintained by a senior officer assigned by the Minister with the responsibility of maintaining the CSME Register.”

The establishment of the CSME Register would operate, in essence, to centralize and standardize the unit with the responsibility for maintaining the register of persons granted access under CSME. The inclusions of the new section in the Act make provisions for restriction or disclosure of information obtained unless

provisions are made for disclosure under another written law. Further, the Registrar is responsible for not only maintaining the records of persons granted, they are responsible for replacing lost, stolen or destroyed certificates, removing ambiguity in the process of having certificates replaced.

Madam President, clause 11 of the Bill seeks to amend section 8(1) of the Act which indicates the qualifications nationals will have to possess in order to obtain a CSME certificate. The proposed amendment would remove paragraphs (a), (b), (c) and (f):

“Paragraph (e) would also be...”—removed—“...and substituted with a new paragraph (e) that would allow for the issuance of a skills certificate where the issuing authority has been accredited by the Accreditation Council of Trinidad and Tobago and the certificate is recommended to be issued by the University of the West Indies.”

The amendments also make provision for non-academic qualifications as it is recognized that skilled-based needs are also an invaluable asset as it is a known fact that successful entrepreneurs are birthed also through non-academic development.

This, Madam President, leads me to clause 7 of the Bill. Madam President, under the current Act persons who are university graduates, artistes, musicians, media workers and sports persons are allowed to come in and work. These fields, specifically musicians and artistes, allow for the re-emergence of the rich musical and artistic culture of Trinidad and Tobago. With the recognition that there is a need for expansion of these areas, the proposed amendment makes provisions for expansion of the specific categories of skilled persons which are identified under Schedule III of the proposed amendment to include a professional nurse, teacher—

and, well, a lot of the new categories were mentioned by Senators who spoke before me. This amendment will have a positive impact on individuals and the community at large as this permits additional persons entry, reducing the rate of illegal immigrants and persons entering our borders and overstaying their time to work illegally. However, it ensures that we as a country are protected by imported skilled and qualified persons to fulfil respective shortages. With this being said, the amendments being debated today stand to broaden the categories which are valid for the obtaining of a CSME certificate.

I strongly believe that we can only stand to benefit from including these groups in the rich opportunities Trinidad and Tobago has to offer. The expansion allows our agricultural sector to flourish. This would mean that we are given further reason to avoid foreign exports—sorry—foreign imports and turn towards our local producers. Additionally, many of our hospitals, especially in the recent pandemic have reported being understaffed and an influx of nurses into our country can lessen the strain on our health care system. This would allow for every patient that enters a hospital to receive the adequate assistance and attention they deserve.

Clause 17, Madam President, amends section 16 of the parent Act by increasing the penalties for persons guilty of an offence under the Act from six months to five years' imprisonment and a summary conviction fine from \$5,000 to \$100,000. According to American economist, Gary Becker, crime is committed if utility is high. In other words, if the benefits seem to be in surplus the act is more likely to be committed. By increasing the fines and the term of imprisonment, there is now a higher probability that the Caricom nationals will reconsider committing any form of fraud or crime as it pertains to this Bill.

In conclusion, Madam President, these amendments come at a time where it has become necessary to make changes as the needs and prerequisites of the CSME access requires adjustment. These changes will improve processes and procedures allowing for proper access and management that is within the best interest of our nationals. It permits us to fill gaps in certain sectors that have been visible shortages allowing easier and new creative businesses and increasing employability amongst nationals and Member States. With those few words, I thank you, Madam President.

Hon. Senators: [*Desk thumping*]

Madam President: Sen. John.

Sen. Jearlean John: Thank you, Madam President, for the opportunity to join the debate on the amendments to the Immigration (Caribbean Community Skilled Nationals) Act. Madam President, last Tuesday when the hon. Minister of Foreign and Caricom Affairs introduced this amendment Bill, he remarked that debates relating to the CSME are generally public spirited in nature, noble, cerebral and aimed at the overall good of our region and we on the Opposition Bench agree with him. Because I looked particularly at the *Hansard* of 2001 and 2003 which the hon. Minister also referenced, and that was under two different administrations but they had the same intentions with two quite capable Ministers. Madam President, that it appears, was a different time as I have taken key note of the contributions by Members on the Government side who it seems want to rewrite the history or the reality of the country. And for those who tend to disagree or have another point of view, of course, it is all about maybe the cancel culture.

Madam President, to quote very briefly the hon. Minister Trade and Industry, she spoke in response to Sen. Wade Mark's contribution. Again, we want

to talk about architects—you were talking about architects and so on, but the Minister of Foreign and Caricom Affairs would have referenced that he stood on the shoulders of the various Prime Ministers, starting from Dr. Eric Williams, right to the current Prime Minister, and that is a correct recounting of what has happened with this entire integration movement. It is an ongoing process. It started, yes, with one of—the first Prime Minister we have had and it has been going along, and each Prime Minister has had their part to play. So it is ironic that the hon. Minister of Trade and Industry missed—chose to miss the point that the very parent Act, 26 of 1996, Immigration (Caribbean Community Skilled Nationals) Act, Chap. 18:03, was piloted in 1996 and passed then and then the first amendment Act, which is Act 6 of 2001, was all piloted and passed during the Panday administration, Madam President.

So it is not who did more or who did most, it is really the fact that everybody, more or less, when they find themselves in a particular position they do what they have to do as the hon. Minister of Foreign and Caricom Affairs is doing today, because Minister Mervyn Assam in 2001 faced a similar issue where they had the administrative part in place but they did not have the legislation. And today the Minister of Foreign and Caricom Affairs has said that they have the legislation in place and what they are doing now is to trigger the administrative part of the Bill. So, Madam President, in just kind of setting the record straight, then Minister Assam when he piloted some amendments in 2001, he gave an overview of the entire—coming into being of this at the Caribbean Heads of Government Conference in 1989 where there was a declaration called the Grand Anse Declaration. So you have all these declarations because of course the movement moves across the Caribbean, whether it is the Treaty of Chaguaramas or whatever

in St. Ann's, et cetera. So all this had to do with the substituting at the time in respect of the Caribbean Common Market.

The review which was mandated envisaged a complete overhaul of the relationship within the Community, and that was in 2001, and coming forward now to 2022, you know, because—sorry, I just need to go back again, Madam President, because at that time in 2001 under the Panday Government they had administrative arrangement to be put in place to ensure that the spirit of what was called Protocol II because there were several protocols, but Protocol II which dealt with the free movement of persons that had not been actioned. So the particular law was supposed therefore, to some extent, inconsistent with existing immigration law at the time. They had some conflict so as a consequence the piece of legislation had not—had really never been proclaimed although it was debated and passed. And at that time they had very good spirited—what you call it—fatigue within the Chamber, but as Mr. Manning at the time who was Leader of the Opposition said, declared then, the Government will have its—the Opposition could have its say but the Government would have its way with the majority, and I am sure that is what is going to happen here today.

So, Madam President, Minister Browne said that the Bill was long overdue and his Government, through its commitment to regional integration movement, would have taken the requisite step to prioritize the Caribbean Single Market and Economy, including that free movement which one has been trying to sort out to ensure that it is a seamless process—I think since then—and basically they had some 27 regular meetings of the Conference of Heads of Government of Caricom in July 2006. And then in 2007 they had a lot of meetings because these meetings are quite frequent and they moved the list of categories from five to 10 in terms of

the categories of people or workers which would have been approved to come to—well, for this cross-border seamless movement. And, Madam President, even to the Senator who just preceded me, relative to the data regarding the level of unemployment in this country or the availability of jobs as it were, I think we are—some folks are living in an alternative universe because I cannot see that as a point of debate or a point of contention, hon. Madam President, because it is a known fact that we have a shortage of jobs in the country at this point in time.

Whatever the basis for it there is a shortage of jobs and basically that must be taken into consideration if indeed we are talking about opening up our borders, not only for persons with specific qualifications but for domestic workers and security guards, agricultural workers and a category called artisans. And, Madam President, this category called “artisans” is a catch-all category as it were because it is described as—the artisans are described as a skilled workman or craftsman. And by this ISCO-08, which is an “International Standard Classification of Occupations”, gives the following description:

“Craft and related trades workers apply...”—their—
“...specific...knowledge and skills...”—in the fields of mining and construction—“...form metal; erect material structures; set machine tools or make, fit, maintain and...”—24-hour—“...repair machinery, equipment or tools; carry out printing work;...”—as well as—“...produce or process foodstuffs, textile...”—or—“...wooden, metal and other articles, including handicrafts...”

This was not a dictionary eh, this came from one of the CSME booklets:

“The work is carried out by hand and by hand-powered and other tools...”—that—“...are used to reduce the amount of physical effort and time required

for specific tasks, as well as to improve the quality of the products.”

Madam President, and it went on. So what I am saying is this category called “Artisan”, it went on—this person could work in:

- “...minerals; constructing, maintaining and repairing buildings and other structures; casting, welding and shaping metal;
- installing and erecting heavy metal structures, tackle and related equipment;
- making machinery, tools, equipment, and other metal articles;”

It speaks about:

- “...electrical and electronic equipment and other equipment;
- —molding—“...precision instruments, jewellery, household and other precious-metal articles, pottery, glass and related products;”

So it is everything that is classified within or that is really described within this category of “Artisan”. So it means that everybody and anybody with the passage of this Bill can now come into Trinidad and Tobago. And I think that is the point that Sen. Deyalsingh was making and my colleagues prior that we cannot just open our borders without knowing, number one, how many workers in a particular category that we need. It is not just a matter of, you know, we want to be part of this, what Prime Minister Mottley described as a coalition of the willing. Willing to do what? If we do not have the jobs and we do not have the capacity we cannot be willing to do it at this time, particularly coming on the end of this major pandemic which is still ongoing by the way, Madam President.

So, I cannot agree with those on the Government side who are declaring that in the interest of deepening the movement at this point in time we just open our borders to categories as agricultural workers—what you call agricultural workers,

artisans, domestic workers, et cetera, security guards, because these are skill sets or workers that can be found right here. Madam President, the Minister of Foreign and Caricom Affairs referenced the EU in his presentation and the EU really—yes, they have the freedom of movement but really this was—what did they do, they filled jobs that are available. That is what the movement of free jobs—sorry, the free movement of jobs is supposed to engender. So if there are jobs then they come to fill it, you know. We do not know if there are jobs because there is no data to tell us so, because the CSO is not working. I do not know the last time we would have had any credible data coming out of the CSO.

And, Madam President, again in going back to the context in 2001, the rationale for the decision on the free movement of skilled persons lay in the acceptance of the fact that in order to achieve the objectives of the Caribbean Single Market and Economy, that is closer integration of the market of member states of the community and the eventual fashion of a single market in the region. Those factors of production susceptible of movement must be allowed to move within the community. And that is true, which means free movement of labour, but it is a question of supply and demand. If it has no jobs then labour cannot move and we can only—as Sen. Nakhid said, all politics is local. Without the data, we cannot say that, “Yes, we agree to opening our borders.” Madam President, free movement leads other workers to migrate from countries where jobs are scarce to others where jobs are many. So it is a sort of exchange to others where jobs are many. I do not know if the Government can tell us that jobs are many here, and where labour is in short supply.

In recent years workers, for instance, in European countries which have been hit hardest by the Eurozone crisis, have been heading north to other places to find

employment and maybe there are jobs there. But in this Bill—I mean, we have to understand that our debt to GDP is approximately 90 per cent and climbing. We have little or no job opportunities for our citizens, the youths in particular. We are facing very steep increases in foodstuff and very soon to face increases in fuel, electricity and water and we are inviting people to come into our borders. How are they going to survive? Is it that we are going to create another issue? You know, it cannot just be song and dance and we are sounding excited about it and we are not looking at the social problems when we already have a lot of social issues and fallout, not only from the pandemic, even prior to that.

Madam President, I do not know if the Minister is aware that there is a trend in recent years because the domestic workers are listed where—towards an increase in migrant among domestic workers, the overwhelming majority of whom are women. Now, I heard again Sen. Deyalsingh spoke about the Cuban nurses are better nurses, I think it was he said, and he should know because that is his area of work. Similarly, you have preferences in domestic workers in certain areas in the country in terms of where they come from but these workers, Madam President, are exposed to exploitation and abuse due to several factors, including the lack of recognition of your work as a proper job, as a result of gender stereotyping.

Their heavy dependence on the employer, especially if they live in the employer's house, because many times, you know, we are saying, "Okay, we are going to open our borders and folks are going to come in and they are going to pay their NIS and their taxes, et cetera", but sometimes we have a big informal sector where workers are in employers' houses and really they cannot come out; they cannot get out to do anything and domestic workers are faced many times with these issues. Sometimes that is due to a lack of clear legal protection. Furthermore,

many migrant domestic workers are particularly vulnerable because of their irregular situation or the undeclared nature of their work.

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

Mr. Vice-President, however, even those who choose to stay—even those who do stay in employment and are fully legal, they are vulnerable also because general legislation is not adapted to their needs and specific legislation where it exists often provides them with less protection than other categories of workers. So, Mr. Vice-President, on the national level there is need for legislation that provides the same standard of rights for—I am talking particularly about domestic workers who tend to be vulnerable as for other categories of workers. It might be necessary to address some of their specific vulnerabilities within this legislation or some other piece of legislation because these are real things happening now. Because without these specific points being used as an excuse to restrict the rights of these workers, above all there is a need to overcome the obstacles stemming from excessively restrictive immigration legislation applied to migrant domestic workers such as restriction on their right to change their employer or occupational sector. So, this must be clearly spelt out to ensure that these folks are not really taken advantage of in people's home.

Mr. Vice-President, yesterday I observed the hon. Minister Browne at a press conference yesterday. He stated that:

The amendments are in recognition that no one country can stand alone in a globalized world. A study was done in Europe—he referenced—for the European Parliament and it showed that between the years 2010 and 2018 their free movement regime did not displace nationals from employment nor did it cause an increase in unemployment in any of the designation country.

We do not know because no data has been put before this Parliament. And Minister Browne went on, he said:

So contrary to the UNC perception records actually show that unemployment decreases within national population when there is a regional free movement regime.

Mr. Vice-President, I wish the hon. Minister will provide us with the data to which he refers, because notwithstanding what he says—and this is not a reflection at all on him, on the hon. Minister, but this version of the PNM party is not trusted by anyone because what they say is not what they do and what they say is not what they mean, so it is our right to be suspicious and skeptical. And I endorse Sen. Mark's conclusion that the Bill falls far short of what is expected at this time and what we should be implementing at this time and what we should be debating quite frankly at this time. The concerns and needs of Trinidad and Tobago must first be urgently addressed. Mr. Vice-President, I thank you.

Hon. Senators: *[Desk thumping]*

Mr. Vice-President: Attorney General.

Hon. Senators: *[Desk thumping]*

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

May I ask how much time we have in speaking in this House, please?

Mr. Vice-President: Thirty minutes.

Hon. F. Al-Rawi: Thirty minutes. Much obliged, Mr. Vice-President. Mr. Vice-President, I am very pleased to have the opportunity to contribute in the Senate to this debate and I thank the hon. Minister for piloting this legislation which I know has been very close to his heart in the role and function that he operates in. I have listened to the contributions coming from hon. Ministers,

certainly on the last occasion and again on today's sitting and I must, Mr. Vice-President, say what this Bill is not only about but what it articulates around. You see. Mr. Vice-President, it is important in answering the xenophobic contributions coming from the Members of the Opposition in particular that we articulate where the law that is proposed by this Bill, these 19 clauses come from, why is there an obligation to perform same, what is rational and proportionate about that law, why that legitimate aim is one that we ought to support as a country.

Now, Mr. Vice-President, if I were to characterize the submissions coming from hon. Senators on the Opposition Bench, I think it plain to say as in earlier contributions that the submission is one from that bench which approbates and reprobates. If you listened to Sen. Lyder, Sen. Lyder's contributions included, for instance, "You are opening floodgates, people are going to come", and then the latter half of his contribution is, "Well, why would they come because there are no jobs?" If you listened to the submissions coming from the hon. Sen. Nakhid, they included some push and pull factors, socioeconomic considerations about—quite correctly the hon. Senator put on the table squarely the issue of jobs and certainty and he focused correctly from where he comes from on the East-West Corridor. I join him in acknowledging that socioeconomic considerations are indeed a factor that we must bear in mind.

If you listened to Sen. John, Sen. John last in reflecting upon the need for data, and in CSO data Sen. John reflected upon whether we in fact are going to be a market where people are going to be attracted to coming, and again, joining the colleagues on her bench, made the submission that there is no real pull factor to Trinidad and Tobago because effectively, as the Opposition puts it, there is no

opportunity here. But, Mr. Vice-President, I must say that this Bill is not about opening the doors to Trinidad and Tobago's economy. Simply, it is also about opening doors of the rest of the Caricom for persons in Trinidad and Tobago. And as I said a little bit earlier in anchoring where this law comes from, I must remind, if you go to the Caribbean Community and you go to their own website you would note that they say in reflecting upon what articulates around the Caribbean Community—that is the broader aspect—that there are 20 countries, 15 members, five associate members comprising 16million people. When you anchor that as a need for diversification and access to the Caricom Market, Trinidad and Tobago has a natural competitive advantage which many other societies complain about if you look to where we are in terms of the price of electricity, in terms of water, in terms of labour, our counterparts in other parts of the Caribbean often reflect, if you look to the manufacturing sector, they say that Trinidad and Tobago has a natural and unfair competitive advantage.

Now, how can we seriously say that we are, if you accept the Opposition's submissions, we are going to be xenophobic? Do not open the door. Go on Sen. Mark's contribution and say, "It is all about voter padding and it is a Pandora's Box for electioneering and gerrymandering". Or, go down to the submissions to say that this is going to be Trinidad and Tobago, a pull factor, completely ignoring the fact that we are in an obligation to allow our citizens opportunities in other territories, particularly when you consider that there are 16 million people in that territory.

4.00 p.m.

If you go on to including the market in the Dominican Republic alone, Mr. Vice-President, and you look to the gateway access of overseas territories as well,

we are obliged, if we are to diversify our economy, as we are doing and have been doing, away from an oil and gas plantation economy into our sectors, including the manufacturing sector, the insurance and services sector, it is critical for us to balance the equation. Now, Mr. Vice-President, let me remind, this is not a concept that has not been considered. In 1958, as Deyalsingh reflected, in that period 1958 to 1962, we flirted with and established a federation in the woodwork and network of where we live.

Mr. Vice-President, we have CARIFTA established in 1965, we have the Caribbean Community in 1973, 48 years ago—and to listen to the Opposition come here and say that there is discrimination, and that these are concepts that we should not buy on to and promote, tells me that the Members of the Opposition have not even bothered to reflect upon the laws of the Republic of Trinidad and Tobago. Permit me to say that they all have access to the online laws of the Republic of Trinidad and Tobago. There are 21 listed laws, Mr. Vice-President, and there is one not listed there, but which is an Act of Parliament yet to be numbered, that Act of Parliament is Act No. 2 of 2005. But listen to what we have on the Laws of Trinidad and Tobago, and which laws this Bill articulates with: The Caribbean Agricultural Research and Development Institute; the Caribbean Aviation Training Institute; the Caribbean Community; the Caribbean Community (Caricom) Costa Rica Free Trade; the Caribbean Community (Caricom) Cuba Trade and Economic Cooperation; the Caribbean Community (Caricom) Dominican Republic Free Trade; the Caribbean Community (Caricom) Regional Organization for Standards and Quality; the Caribbean Community Development Loans and Guarantee; the Caribbean Court of Justice; the Caribbean Court of Justice headquarters; the Caribbean Court of Justice Trust Fund; the Caribbean

Development Bank; the Caribbean Examinations Council; the Caribbean Examinations Council (Privileges and Immunities); the Caribbean Fisheries Training and Development Institute; the Caribbean Food Corporation; the Caribbean Industrial Research Institute; the Caribbean Investment Corporation; the Caribbean Investment Fund; the Caribbean Meteorological Organization; the Caricom Enterprise and, of course, Act No. 5 of 2005.

Mr. Vice-President, if you listen to the Members of the Opposition, none of those laws exist, and we are to sit as a twin-island State apart from the Caricom. But the Caribbean Community Act, which is reflected upon in the parent law which we amend today by this Bill in the 19 clauses, the Caribbean Community Act, Chap. 81:11, very short Act, puts The Revised Treaty of Chaguaramas into our law. The Revised Treaty of Chaguaramas is critically important to this debate. Because if you look to the Caribbean Community Act itself, which the Bill articulates around, you would see there is a definition of the Caricom Single Market Economy established by the Treaty.

Mr. Vice-President, in it, the Minister is allowed the power of regulations. We heard Sen. Mark ask why the Minister should have power. It is in the parent laws that articulate with this Bill. But, Mr. Vice-President, Sen. Mark is no stranger or newcomer to the Parliament. Surely he has read the Caribbean context of the Revised Treaty of Chaguaramas in Chap. 81:11. They say in the Caribbean Community context articulating with this law:

“In the event of any inconsistencies between the provisions of this Act and the operation of any other law, the provisions of this Act shall prevail to the extent of the inconsistency.”

That is a very powerful legislative statement, which came into effect the 23rd of

May, 2005.

Mr. Vice-President, when we look to the obligations to amend the law now before us—I sit as a member of the Legal Affairs Committee of Caricom, pursuant to Article 18 of the Revised Treaty of Chaguaramas. Having chaired that committee whilst Prime Minister Rowley was the Head of Caricom, it is incumbent upon me to say, we have a positive obligation pursuant to the Treaty of Chaguaramas. We have a positive obligation pursuant to Article 35 and Article 45 of the Revised Treaty of Chaguaramas, to make the amendments that we do now.

When we look to the preamble of the Treaty of Chaguaramas, since 1973, 48 years ago, there was a commitment to “deepening regional economic integration”; a commitment to enhance the participation of peoples; to promote in the Community a conscious reflection that we are to be fully integrated and liberalized with an internal market. That there is a desire for establishing and “maintaining sound and stable macroeconomic environment”; that we recognize further the importance of establishing the CSME; that we were mindful that further benefits are to be expected from the establishment of the CSME, ought not to be frustrated by “anticompetitive business conduct” or preventative or restrictive or distortive competition; that we are convinced that the application and convergence of national competition policies, et cetera, are elements to promote the objectives of the CSME.

But when you look at the principle of establishment, because that is what this amendment in the package of amendments in this Bill is about, it is about anchoring the principle in law of establishment, and there are four pillars around which the Caricom has been built, and which the CSME is anchored. Obviously it includes things like the freedom of movement of our people, and that is what we

are talking about today in the amendments. We are talking about contingent rights for spouses of people with free will.

We heard Sen. Mark quite spectacularly ask, what does an artisan mean. It is defined in the Schedule to the very law that Sen. Mark is debating, was debating, is participating in, because an artisan is defined in relation to the Schedule, and the skills have to be underwritten by the CVQ.

We had a Member of the UNC Bench fired by the Leader of the Opposition, Fazal Karim, very bright and capable and lovely gentleman who was the pioneer of pushing CVQ and technical vocation and skill centres, but all of that seems to have left the United National Congress when that good gentleman was unceremoniously not returned. So, Mr. Vice-President, I remind that the Schedule to the parent law that we are amending is part of this consideration, and when you look to the Schedule you would see that an artisan in item (g) of Schedule III, is someone to be qualified with a Caribbean Vocational Qualification.

Now, these are not things which arose out of the blue. By way of Cabinet Minute in 2008, which hon. Members opposite when they held the corridors of power in the period 2010 to 2015, they ought to know that the Caricom Single Market and Economy, the CSME, specifically required the expansion of categories, and artisans were included with CVQ qualifications since 2008. But if you listen to Sen. Mark, we have just invented it all of a sudden. We have to condescend to defining the position. It has been there in the law for over a decade, and hon. Senators opposite have an obligation to be truthful and accurate in their submissions.

Mr. Vice-President, that is to be underwritten by further Cabinet Minutes. There was one in 2009, where we anchored, again, the broadening of the

Caribbean national eligibility within CSME to include domestics with CVQ qualifications—that is Caribbean Vocational Qualifications—and where we included legal spouse. So when we deal with the contingent rights today that this Bill offers us to consider, when we deal with the rights and privileges of spouses, be they entrants in the context of a six-month permission or an indefinite permission, we are today broadening the category, the rights and privileges, not in a one-way check valve environment. Let me explain that. When you are dealing with water or oil and gas, there is something called a check valve, and if it is a one-way valve it means the water can only go in one direction.

This Bill is not a Bill to allow only to come into Trinidad and Tobago. It is to give us the equivalence to go elsewhere. Mr. Vice-President, how do we propose to build a first-class tourism industry when we cannot land in Jamaica, which has an equivalent to this law? When in Jamaica you have anchored, in the Sandals context, the ability to have training in a first-class environment in a school in training in positions? Why should our nationals who want to come back to Trinidad and Tobago to be first-class hoteliers, to drive a tourism industry of the type that we want for Tobago, as we build an airport in Tobago of international standards, as we deal with mariners, as we deal with facilities, why should we allow the UNC to tell us no?

Our nationals ought not to be in a situation where they can access the Caricom market, all 16 million people around us, to have service industry experience without fetter, so that their wives and children and dependants, be it older parents, be it people who are dependent. Why should we say that they should not have the ability to go into the rest of the Caricom? Why is there a myopia coming from the Opposition Bench? It reminds me of the myopic statements of

“Trinidad and Tobago is not an ATM”, famously attributed to the Leader of the Opposition, Mrs. Kamla Persad-Bissessar SC. Well, we disassociate ourselves from that point of view and from that myopia, and we reject it out of hand. The same way we reject Sen. Mark pretending that he does not know what an artisan is, or that it has not been a feature of the law since 2008, at least in its most recent amendment.

In the Articles of establishment, in the right of establishment, Mr. Vice-President, there are prohibitions against new restrictions on the right of establishment, none of which apply to the circumstances that we are looking for today. So, Mr. Vice-President, let us look to the positions of the Bill. We look to clause 4.

What time is full time, if I may ask, 4.22?

Mr. Vice-President: 4.24.

Hon. F. Al-Rawi: When we look to clause 4, and we are saying that we wish to have the Certificate of Recognition such as set out in Schedule II, I would just say that that is no change to the law. That is what the Schedule actually was. But in putting the definition of CSME in, in fact that really ought to have been done since 2005, because in 2005, and then later on when we dealt with the amendments to other laws, Mr. Vice-President, specifically when we dealt with the Caribbean Community (Removal of Restrictions) Act, No. 2 of 2005, where we removed certain positions—and I want to say that 2005 Act anchored in Trinidad and Tobago in several laws, including the Immigration Act, including the Foreign Investment Act, including a number of laws, the Customs and Excise provisions, we anchored a definition of a national of Trinidad and Tobago to include a Caricom national from a Member State.

So if you listen to the Opposition, do not do this Bill, it is something that is antagonistic to the development of Trinidad and Tobago, it is something suspicious. Well then, why was it in the period 2010, '11, '12, '13, '14 and '15 and three months extra, in their five years and three months, the Opposition did not repeal all of these laws? Why? Is it akin, perhaps, to their refusal to support the CCJ? Is it as inane a submission as saying let us have the Privy Council only deal with civil matters of the type, where the Leader of the Opposition, then as Prime Minister, forgot that there were no reservations to the Treaty of Chaguaramas of that type? Mr. Vice-President, you know what that translates itself to? Make it up as you go; bramble, invent, frighten people.

We heard some of the Senators opposite—we heard Sen. Nakhid in parts of his contribution say: Why are you talking about prostitution? Who is talking about prostitution? It was Sen. Lyder, right there to his left, who raised the issue of prostitution. Sen. Lyder I confess is someone I know very well. I consider him a friend. He is a Caricom man. He is invested in many Caricom territories and can speak to the benefit and profit that he makes, for instance, in Antigua, in Curaçao, in Barbuda, in Jamaica as he is an active businessmen as he is entitled to be, in the sale of alcohol and the distribution of factors. He is an excellent businessman, but he is someone that can speak to the benefit of Caricom integration.

Hon. Senators: [*Desk thumping*]

Sen. Lyder: [*Interruption*]

Mr. Vice-President: All right, Sen. Lyder. “Yuh good now?” Continue.

Hon. F. Al-Rawi: I will give way to my friend if he wishes. Sen. Lyder, I give way to you.

Sen. Lyder: [*Inaudible*]

Mr. Vice-President: Sen. Lyder. Sen. Lyder.

Sen. Lyder: [*Inaudible*]

Mr. Vice-President: Sen. Lyder. Sen. Lyder, the AG is giving way. Continue.

Hon. F. Al-Rawi: No, I want to be fair to you.

Sen. Lyder: No, no, no.

Hon. F. Al-Rawi: Okay, you wish to say nothing, no problem. So, Mr. Vice-President, I am not making any pejorative statements of Sen. Lyder. He is a respectable businessman, and I commend him for his acumen. He did not get here by mistake. He is somebody that has done well for himself, and I salute him in that regard. Let me make it abundantly clear my regard for Sen. Lyder. But what I am saying in the context of this debate, and in the hon. Senator's submissions, is that that good Senator, a respectable businessman, can speak to the merits of the legislation before us now, because we are talking about regional access. We are talking about broadening sales and distributions.

I am confident that anybody engaged in the type of business that some Senators are accustomed to—and Sen. Lyder as a sharp businessman would know what I am about to say—that the Caricom market is the difference between make or break. Sales in the rest of the region, the right to establish a business in any other part of the region is how regional enterprise grows. It allows cross listing on the stock exchange. It allows growth. It allows structure. So I will say that I expect that my friend, Sen. Lyder, is entitled to have reservations on the law which he has put forward, but I think that he, like me can, at any point in time, also agree that there is a lot of merit inside of this legislation. The question is which way we take the perspective.

When we look to the anchoring by clause 4 of the CSME, it is an important

factor to understand it. Look at what we are doing in clause 4. We are putting that:

“‘principal beneficiary’ means a national of a qualifying Caribbean Community State who has exercised one or more of his primary rights to move, live and seek employment in another qualifying Caribbean Community State;”

That is a right for Trinidad and Tobago citizens to go to Jamaica, to go to Barbados, to go to Antigua, to go to wherever they may choose to test and plumb the opportunities that may present themselves.

Mr. Vice-President, as a result of clause 5 and the amendments we propose in repealing and replacing sections 3 and 4 of the legislation, I would just like to flag that there are a few amendments that I have suggested to the drafters, which we will come to at committee stage.

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

Hon. F. Al-Rawi: Thank you, Sir. In relation to that, we are just anchoring down that with respect to indefinite permission to stay and six months permission to stay, that it is critical for us to allow for the contingent rights, which by the way we are obliged to further consider as we operate upon enhance cooperation, which is before the Caricom Heads at present, that these contingent rights are now amplified by the other clauses of the Bill, where we monitor all persons by virtue of the creation of a register for the first time. To have a registrar for the first time, to allow for due process to be added to the law, because before there was no need to show cause why you should have your status revoked. Therefore, providing as we do a show cause provision as we do, Mr. Vice-President, in this Bill, we are now providing for a better form of cooperation that anchors itself in proportionality in law, and that is to be found in clause 7.

Now, Mr. Vice-President, permit me to touch briefly upon the issue of voter padding. Sen. Browne, the Minister of Foreign and Caricom Affairs, I listened to what he had to say. He never hinged his argument upon the fact that it had to be five years. He was reflecting upon the fact that under the Representation of the People Act—the Representation of the People Act says that you are entitled to vote if you are a resident under the provisions of the Immigration Act. If you look at section 5(1) of the Immigration Act, it provides for a number of circumstances for one to become a resident, but there is a process to go through. One of those processes is that you are not only within 12 months there, but that one of the circumstances is that you have been continuously resident for five years.

Whilst there are other permutations and combinations, I would just like to say, if the argument coming from the Opposition now is that all of a sudden you will have voter padding, then I want to know what was the position since 1973, when we signed on to the Treaty of Chaguaramas? And what was the position since 2005? And what was the position since the 10th of August, 2001, when we created Chap. 18:03, which is this law that we seek to amend, the Immigration (Caribbean Community Skilled Nationals) Act, since 2001, 21 years ago, we allowed for persons to enter our territory? If you accept their argument at the highest, the Opposition's argument, this position was allowed to continue for 21 years. So to raise the spectre of voter padding, of gerrymandering, et cetera, is to be rejected out of hand, Mr. Vice-President. Out of hand

Hon. Senators: [*Desk thumping*]

Hon. F. Al-Rawi: Mr. Vice-President, in terms of further amendments, I know that the Minister will speak to some of the amendments to the Schedule that we wish to engage in, in addition to clause 13 and the insertion of a new clause to treat

with an amendment to section 10A of the Act, which is really just as a result of harmonization. But permit me to say, this law is clearly good law. It serves the legitimate aim and purpose of bringing into a life our obligation under the Revised Treaty of Chaguaramas, our obligation under the rights of establishment, our obligation under enhanced cooperation. It is to be met by other amendments, as I alert now, that we will be bringing amendments to treat with arbitration, further aspects that we have already brought into harmony for public procurement, et cetera. We are pro Caricom. We are pro integration.

Hon. Senators: [*Desk thumping*]

Hon. F. Al-Rawi: We are pro establishing an enlarged Caricom and economic community in a single market, which is beneficial to the people of the Republic of Trinidad and Tobago, and I end by saying we reject myopia and we reject xenophobia. Thank you, Mr. Vice-President.

Mr. Vice-President: Sen. Roberts.

Sen. Anil Roberts: Thank you, Mr. Vice-President. I am simply amazed at the stupefying irony of a man “who change he name” from Seukeran calling me xenophobic. The Attorney General of the Government of Trinidad and Tobago—
[*Interruption*]

Mr. Vice-President: One second please, Members. No, Sen. Roberts. We do not allow that phraseology which you just used to open your contribution.

Sen. A. Roberts: Called me xenophobic. We are not xenophobic.

Mr. Vice-President: No, no, Sen. Roberts. Sen. Roberts. Senator, no, not that. Please. Just do not go down that road. Continue your contribution, but do not go down that road.

Sen. A. Roberts: Thank you, Sir. Please, I will continue, Mr. Vice-President.

Mr. Vice-President: One second, Sen. Roberts. There is a Standing Order being raised.

Hon. Al-Rawi: Thank you, Mr. Vice-President. I rise now, not on 48(1), but on 44(4) and 44(6) and also 46(4) and 46(6), because, Mr. Vice-President, to say I have changed my name is not only an unadulterated untruth, but it is to go to the basest level of disgusting behaviour, Mr. Vice-President.

Hon. Senators: [*Desk thumping*]

Mr. Vice-President: Okay, so Attorney General, I have ruled on that. I have warned the Senator. Continue.

Sen. A. Roberts: Thank you, Mr. Vice-President. Emotions running high with a lot of hair dye. Dominican Republic, the last time I checked—

Mr. Vice-President: Sen. Roberts, Sen. Roberts, Sen. Roberts. We are not going down that road. I am not going to repeat the phrase. There is no need to go down that road. Just continue the contribution and leave out what I usually refer to when I am in the Chair, as the extra seasoning. There is no need for it. Continue.

Sen. A. Roberts: Thank you, Mr. Vice-President. We do not have extra seasoning, because we do not have two dollars for condiments. But the hon. Attorney General stated in his contribution that our people could look to opportunities in the Dominican Republic. The last time I checked in 2013 November, Caricom suspended the application for full membership of the Dominican Republic because of their treatment of Haitian migrants. So I would like the Attorney General, or any Minister who is coming after, to please correct the record, because I do not see in this Bill that any national of Trinidad and Tobago will be able to get any job in the Dominican Republic. And for an Attorney General to be discussing a Bill on Caricom and not understand what is observer

status as opposed to full status, speaks for itself. Clearly the Attorney General is neither a good businessman nor a good Attorney General.

Sen. Lyder does business. He invests capital in Caricom, in territories. This Bill does not deal with capital investment.

Mr. Vice-President: A Standing Order is being raised.

Sen. Gopee-Scoon: Mr. Vice-President, Standing Order 46(4) and 46(6).

Mr. Vice-President: So, Sen. Roberts, just like I said, I have cautioned you before in the references to Members in the way that you are referencing them. Continue.

Sen. A. Roberts: Thank you, Mr. Vice-President. The hon. Attorney General said, and stated right here just a few moments ago, that my hon. colleague Sen. Lyder, the great businessman that he is, that he invests money and has businesses across the Caribbean, which is very true. But this Bill that we are debating here, Sir, as you eloquently put it, is not about investment, in capital investment or opportunities in the Caribbean. This Bill deals with human beings. So I am not sure what the Attorney General was talking about or trying to debate.

This Bill—Sen. Lyder could have stood up on 46(1), when the Attorney General was debating, and stopped him for relevance, but Sen. Lyder believes in free speech, no matter how irrelevant and nonsensical a contribution. So Sen. Lyder also has assured me that when he comes into Cabinet, when this PNM Government, we see the back of you all very shortly, that he certainly will never sit in Cabinet and rent out his own building.

Hon. Senators: [*Desk thumping*]

(3)

4.30 p.m.

Sen. A. Roberts: The Attorney General just commended a UNC Member of Parliament—

Mr. Vice-President: Sen. Roberts. Sen. Roberts—

Sen. A. Roberts: Yes, Sir.

Mr. Vice-President:—you are, in your contribution, along certain lines, slipping in certain comments that would—

Sen. A. Roberts: Certain truths.

Mr. Vice-President:—let me finish, that would put you in breach of certain Standing Orders. Again, I am now going to warn you, just be careful how you slip in those comments in your contribution. Continue.

Sen. A. Roberts: Mr. Vice-President, I am very confused because I am slipping in truth. I am not slipping in any comment. It is a fact. The Attorney General commended the former Minister Fazal Karim and the UNC for their work with this Bill and then the Minister of Trade and Industry simultaneously says in this debate that the UNC did nothing. So I am not sure if the left hand knows what the right hand is doing.

And the Attorney General spoke about a first-class hotel school and Sandals and all of this and the opportunities, yet he is the Attorney General in the Government that shut down the Trinidad and Tobago Hotel Institute. So where exactly are we getting these trained, great trained individuals to take part in this burgeoning tourism industry?

The Immigration (Caribbean Community Skilled Nationals) (Amdt.) Bill, 2022, a very long title. Really? But under the PNM for six and a half torturous years our citizens' skills have been thwarted, stunted and dulled by the lack of investment in education, skills development and training illustrated by the drastic

cuts in GATE funding from \$726 million by the Kamla Persad-Bissessar government in 2014 to a mere \$320 million in 2021, cutting down the students and the individuals who would gain opportunities at education and therefore, being in an advantageous position to take advantage of this Bill and its passage here today. Fifty-nine thousand students under Kamla Persad-Bissessar were benefiting annually from GATE, to a paltry now under the PNM, 28,000; 31,000 less human beings who can take advantage or who can be ready to compete with their Caribbean brothers with the passage of this Bill at this time.

[MADAM PRESIDENT *in the Chair*]

The cuts in funding by the PNM to UTT, MIC, NESC, the Trinidad and Tobago Hospitality Institute, CFTDI. It is like telling our national football team, no training, no practice matches, no gym, no balls to kick but you must now go out and win the Caribbean Cup. That is an impossibility and puts our citizens at a disadvantage. But I know that the PNM would not understand that because just last January they did our national football team just that, to send them to the slaughter to the USA unprepared.

Our economy is in the worst state in the history of our beloved country. Let me repeat. Our economy is in the worst state in the history of our beloved country. Worse than 1983, worse than 2009 after the global collapse in 2008, worse than 1970. Foreign reserves are disappearing. Negative foreign direct investment for the third consecutive year. Constant addictive dipping into the Heritage and Stabilisation Fund by this PNM, borrowing to pay recurrent expenditure by this PNM. Forex crisis in this PNM.

Madam President: Sen. Roberts—

Sen. A. Roberts: Yes, Ma'am.

Madam President: You are saying a lot—

Sen. A. Roberts: Uh-huh.

Madam President:—but you are not being relevant to the matter at hand. So I would like you to tie in, if you want to continue, to tie into what is before us.

Sen. A. Roberts: Thank you, Madam President. I know the PNM may not understand so I will help them. We are talking about—

Madam President: Sen. Roberts, it is my ruling. Please. So just—yes.

Sen. A. Roberts: I will tie it in with pleasure. We are here debating to open categories as we see in clause 7. For example:

“Clause 4 of the Bill would amend section 2 of the Act, principally, to expand the definitions of ‘certificate’ and ‘dependent member...’”—

As well as clause 7:

“...would allow the Minister with responsibility for immigration to revoke...”

And then clause 10 would increase and expand the opportunities for other Caricom nationals in Trinidad and Tobago.

Now, if you are going to allow others to come into a market into an economy, one has to identify, analyse and state, what is our economy like now? Can we, can our citizens compete? Are we in a position to provide our people because charity begins at home first? So if we have to analyse the economy, then we will show that the timing of this Bill is unfortunate. It is going to bring pain on our citizens and it shows a lack of planning on the part the Government because our economy is in the weakest state it has ever been and our people are suffering. Unemployment is at the highest levels ever. The poverty rate is up at 30 per cent. But yet the PNM comes here today, not to bring a Bill to ease the tension, not to

bring a Bill to encourage and to create jobs for our people at home but to bring more competition on top of a weakened economy. And the UNC says the timing is all wrong; not xenophobia, not anti-Caricom. We love our Caricom brothers and sisters but charity begins at home and the PNM has decimated the economy and now wants to bring others to further disadvantage our citizens. And the United National Congress says no.

The debt to GDP ratio is approaching 100 per cent. We have complete food insecurity. Education is in peril. The energy sector is on life support, yet the PNM brings this Bill not to ease the pain, not to illuminate a spark of hope, not to provide oxygen for them to breathe but a Bill to pour water on an already saturated sponge.

The hon. Minister of Foreign and Caricom Affairs said that the UNC is fearmongering. But fearmongering cannot work on an already terrified population. “You cyah frighten twice.” Fearmongering is only plausible if a population has the lingering belief or faith in the humanity of the Government. In the case of the PNM, has their heads buried neck-deep in oil and is totally unaware. The entire population is resoundingly assured of the PNM’s collective heartlessness, callousness and inhumanity. Facts create fear. Facts—fact is that right now large numbers of our population are unemployed, underemployed—

Madam President: So, Sen. Roberts, you are speaking after quite a number of speakers and the issue of tedious repetition is arising because you are basically saying what other speakers have said. So I will ask you, please, to try and move on to some other points.

Sen. A. Roberts: Thank you, Madam President. The country sees no future under the dormant creativity of the bland PNM. If they had brought policies here today to

diversify the economy, to increase creativity, to create alternate revenue streams, to produce jobs and job creation. These are all alien terms to the PNM. We now see two weeks ago that this PNM Government after six and a half years in Government is now tendering out for a sports tourism master plan.

Hon. Al-Rawi: Madam President, I rise on Standing Order 53(1)(b).

Madam President: So, Sen. Roberts, it is about tedious repetition and I will ask you, I have already spoken to you on it, and I will ask you, please, to try and come to some new points about the Bill. Okay?

Sen. A. Roberts: Madam, I have not heard about sport tourism yet in the 12 Senators who have spoken. I am now speaking about sport tourism, the lack of diversification, the lack of implementation of the PNM who has recently tendered out for a sport tourism master plan six and a half years after being in Government and we have gone nowhere.

Madam President: Sen. Roberts, listen. You can talk about a Bill by saying what it is not. And you can also talk about—try—you are almost saying as if you are talking about a Bill but you are not talking about the Bill. You are talking about matters that are not relevant to the Bill. You are making some points and trying to tie it in. But, please, I am asking you, you are repeating. Sport tourism might not have come up, that phrase. But basically what you are saying has been said before by other speakers in different words but you are saying the same thing that they have said.

Sen. A. Roberts: What I am saying? I am trying to say that we have an industry that we are now—we have no jobs, no diversification and we are creating a Bill here to create competition that we are unprepared for.

Hon. Al-Rawi: Madam President, I rise on 53(1)(b) again, please.

Madam President: Sen. Roberts, just try and listen to what I am telling you and I ask you as you move on.

Sen. A. Roberts: Laws are meant to remedy a particular mischief or to encourage a positive activity or the implementation of a plan to benefit the wider society. So what exactly are we doing here today? Let us analyse the Bill very carefully.

“The Bill seeks to amend the Immigration (Caribbean Community Skilled 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...”

As we said, charity begins at home. The NIB roll shows 123,000 people have lost their jobs in last three years.

Hon. Al-Rawi: Madam President—

Sen. A. Roberts: There are also—

Hon. Al-Rawi: Standing Order 53(1)(b), the very statistics were quoted.

Madam President: Sen. Roberts, I have to agree. And you also earlier in your contribution made the statement about charity, so you are repeating yourself and you are also repeating what has been said before. So can I ask you please, please to move on?

Sen. A. Roberts: Thank you, Madam President. Doctors are selling doubles. Sport management degrees, people with those are driving PH. Teachers are working in retail, undergraduate degree holders are unemployed.

Hon. Al-Rawi: Madam President, I rise on Standing Order—

Sen. A. Roberts: Two and a half years the private sector—

Hon. Al-Rawi: Madam President—

Madam President: Sen. Roberts, a Standing Order is being invoked. Attorney General, I am sorry.

Hon. Al-Rawi: Thank you, Madam President, I rise on Standing Order 53(1)(b). This has exactly been put on the record.

Madam President: Sen. Roberts, I do not know how many times again that I can caution you about tedious repetition so I hope that this is the last time.

Sen. A. Roberts: Thank you, Madam President. All of this occurred before COVID-19 and then came the COVID-19 pandemic and the mismanagement by the PNM has led to over 44 per cent of businesses—

Hon. Al-Rawi: Madam President—

Sen. A. Roberts:—will never—

Hon. Al-Rawi:—I rise on Standing Order 53(1)(b).

Madam President: Sen. Roberts, just finish your point and move on.

Sen. A. Roberts: The time is to rebuild, renew and regenerate, not to expand the labour force. Our labour force is operating at approximately 70 per cent and we need our opportunities to move on. \$7.5 billion of VAT is owed by this Government to small businesses which are the engine room of job creation, \$7.5 billion. This is stifling and suffocating business. And yet at this time when the Government is unable to repay VAT refunds utilizing money at a low interest—

Hon. Al-Rawi: I rise on Standing Order 46(1).

Madam President: Sen. Roberts, just continue. Continue.

Sen. A. Roberts: Thank you, Madam. Because the idea here is that we need to generate jobs. We need to be competitive and our citizens must have the opportunity so to do. So if the Government cannot pay what it is duly legally so to do, to encourage business, to create jobs, to leave our people at the mercy of others

coming into take what little is there, could never be good planning on the part of this Government. There is no cash flow but they are making more labour available. We have porous borders, over 16,000 illegal immigrants have been registered.

Hon. Al-Rawi: Madam President—

Madam President: Sen. Roberts, please. You are taking this debate beyond what is relevant. You are taking it beyond. So I will ask you, please.

Sen. A. Roberts: Thank you, Ma'am. Let me try to let you know where I am going. This is an immigration Bill, an immigration policy. It is seeking to amend immigration laws. Immigration laws and policy only work if border control exists. If there is no border—

Madam President: Sen. Roberts, that is stretching, stretching the issue of relevance. It really is. Okay? So because the Bill has the word “immigration” in it, it does not mean that everything about immigration is covered in a debate and can be. So what I would ask you to do, I see you are trying to make your points, I will ask you to tighten up, get to the point quickly.

Sen. A. Roberts: Okay. Let me tighten it because you came up a bit early. I am not talking about porous borders only. I am saying that if we are here making laws we must not make laws that put law-abiding citizens at a disadvantage. So if your immigration border control policy allows those who are willing to break the law to get through, as they say, or to get in to get jobs, then we are here putting law-abiding citizens and parameters on them to apply for work permits, to get permission, to be under scrutiny of the Minister with responsibility. But other people who are not law-abiding are coming in at 149 points across Trinidad and Tobago. And any law that puts law-abiding citizens at a disadvantage could not be a just and moral law. The PNM could not control the porous borders during a

global pandemic bringing debt and—

Hon. Al-Rawi: Madam President, I rise on Standing Order 46(1) and Standing Order 53(1)(b).

Madam President: Sen. Roberts, I allowed you to expand on your point on immigration. I did allow you and regretfully, in my view, it was not tied into the matter at hand. Please, you have a few more minutes, I will ask you, please, just try and be relevant to the Bill. Okay?

Sen. A. Roberts: Thank you. Thank you, Madam President. The PNM has no plan and we come here today to debate a Bill that does not fit into the situation that exists in this country in any form or fashion. Up to now, Independent Sen. Charrise Seepersad has been begging the PNM, begging the hon. Attorney General to bring their legislative agenda. However, he cannot because just like “emailgate”, it does not exist.

Hon. Al-Rawi: I rise on Standing Order 46(1).

Madam President: Sen. Roberts, please, I will ask you to try and be relevant to the Bill. And I have to tell you at this stage that I cannot give you any more opportunities after this. Okay?

Sen. A. Roberts: The Government has no statistics nor information to inform this Bill. We have listened to Senator from the Government’s side after Senator, and none of them could give us any up-to-date statistics. They have promised the national statistical—

Hon. Al-Rawi: Madam President, I rise on Standing Order 55(1)(b)—53(1)(b).

Madam President: Continue, Sen. Roberts.

Sen. A. Roberts: Thank you very much, Madam President. No statistics, no information. The Government promised a national institute for statistics in 2016,

2017, 2018, 2019, they gave up in 2021. They promised it and they have not brought it. The Government has announced a CSO statistic survey that is going to cost a \$150 million. Why did the Government not wait for that plan before bringing this legislation? Because that would have informed whether the time was right, whether the population was ready, whether the economy was in a position—

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

Sen. A. Roberts:—was in a position to compete with the rest of the Caricom. Bringing this Bill without data is like curtailing a rescue mission without intelligence, without knowledge, without trying to save lives. Then again, when the PNM has full information, they make wrong choices, whether it is Petrotrin with the Lashley, McKinsey, Solomon reports which provided statistics and data.

Madam President: At this stage I am going to have to ask you to end your contribution. I cannot anymore ask you to be relevant. I have asked you too many times during your contribution. So I am going to have to now ask you to—

Sen. A. Roberts: That is not surprising, Ma'am.

Madam President: Sen. Roberts, hold on. Sen. Roberts, please—no, no. Before you leave.

Sen. A. Roberts: Uh-huh.

Madam President: Please apologize for what you just said.

Sen. A. Roberts: I humbly apologize to you, Madam President.

Hon. Senators: [*Desk thumping*]

Madam President: Leader of Government Business.

Hon. Senators: [*Desk thumping*]

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Thank you, Madam President, for the opportunity to make a short

intervention in this debate. Madam President, I am intervening mainly because I want to save my colleague Sen. Browne from having to deal with some of what I call in this debate by the Opposition, it is no more than a fig-leaf debate. Nothing much to say. In fact, the last speaker struggled simply because he could find nothing of relevance to say in opposition to the Bill and I will say why. And I do not wish for Sen. Browne, Minister of Foreign and Caricom Affairs to be consumed by having to deal with pettiness.

And it took me right back, Madam President, to something I have said in this House before when I have quoted Maestro and his 1974 hit, “Mr. Trinidad”. Because when I have listened to the Opposition over the two sittings and the press conference or conferences, and read the press release, it brings me back to what Maestro was talking about, the confusion. And I will just give you a few lines of it, Madam President:

“Because you refuse to vote in election

But then you ent want revolution,

You strongly against Communism”—But:

“You walk out on colonialism

You say Eric Williams had to go

But who to replace him, you ent know

So to make a long story short from in front”—

—This Opposition—“...ent really know wey they want.”

Hon. Senators: [*Desk thumping*]

Sen. The Hon. C. Rambharat: Because, Madam President, I had the opportunity my career so far to work in the Caricom system. And I, it is very, very fresh in my mind that the commitments made in relation to the Revised Treaty of Chaguaramas

and CSME were commitments made by the Basdeo Panday administration. And having done that, at the moment when the legislation in respect of the CCJ had to be passed in Trinidad and Tobago, the UNC refused to support the legislation and it was merely sour grapes. That they were out of government and that gave them—that gave them the opportunity to disgrace themselves regionally by resiling from an agreement that they had entered into. And history is repeating itself.

To believe that you could simply backtrack on a commitment as significant as the commitments enshrined in the Revised Treaty of Chaguaramas is to completely understand what this—misunderstand what this region is all about. Because this is not an issue of reciprocal arrangements. This is an issue of community and Trinidad and Tobago finds itself in a community called Caricom. And it is not simply taking your marbles and going home because you are not winning. These are serious commitments and they are meant to bind the individual countries of the region whoever is in government. And when we make these commitments, Madam President, especially in the region and especially given the nature of international law, we know that treaties entered into require national law in our case and we cannot bind a future government.

Not every time we would have a special majority. In our bicameral Legislature there is no guarantee that something that is approved in this House, as we have seen, is going to pass in the other place. But we depend on our understanding of how we work in this region as a community. And most importantly, we depend on what is regarded as the spirit of the Treaty of Chaguaramas. So that is why speaker after speaker on the Opposition Bench, that is why they have faltered. That is why you have gotten so much exercise in a short space of time, Madam President, because Sen. Roberts had absolutely nothing to

say. Because he knows one of the most important moments for the 2010 to 2015 UNC administration was when Trinidad and Tobago, Trinidad and Tobago hosted Caricom at the time Caricom was celebrating its 40th anniversary and that was 2013. Meeting was held in July 2013 and in the days leading up to the meeting it was Sen. Roberts the then Acting Minister of Communication, believe it or not, Sen. Roberts as Acting Minister of Communication was up and down this country touting the virtues of Caricom, regional unity, free movement and everything relating to the Revised Treaty of Chaguaramas. So of all persons, of all persons he knows and the Opposition still functions under the leadership of Kamla Persad-Bissessar, Member of Parliament for Siparia.

And it was in that 40th anniversary session that took place in Trinidad and Tobago that Mrs. Kamla Persad-Bissessar as the leader of Caricom at the time who in one line summed up what we are doing in this House, in one line. And that one line is, “we are one people, one region, one community”. And that statement is rooted in the original documents, the foundation documents of Caricom and in the Revised Treaty of Chaguaramas and all the commitments that go with it. And it is Mrs. Kamla Persad-Bissessar in that same 40th anniversary celebration and session who said this also and I quote:

“...only through collective effort that the ambitions of the peoples of the Caribbean...”—can—“...be materialised.”

And it is not a question of whether, whether we can accommodate nationals from other Caricom countries who meet the requirements to work in Trinidad. It is not a question of if. It is an issue that we have to and we have to because of commitments already made.

5.00 p.m.

And this issue of taking away jobs. Persons from outside Trinidad and Tobago but within Caricom who meet the requirements set down in the Treaty and who meet the requirements set down in this Bill, it would operate on the basis of supply and demand. People would only seek—there will be push factors from countries within the region where there are no jobs or few jobs available for particular skills and there will be a demand in Trinidad and Tobago, and it would work the other way too; it would work the other way too. Citizens and nationals of Trinidad and Tobago who meet the requirements under the Revised Treaty and who meet the requirements set out in the national laws of the various members of Caricom would also be able to work outside the region—outside Trinidad and Tobago but within the region.

So, Madam President, a lot of what the Opposition has—they have spoken about is completely irrelevant to the Bill that is before us. What is before us is the continuation of a process starting with the Treaty of Chaguaramas, a process that this Opposition has advanced when they were in Government, a process that is very important to the preservation of the Community that is Caricom. And I am sitting and I am listening to Sen. Nakhid, Sen. Roberts, I am listening to all these children of people who have arrived in this country—

Sen. Mark: Standing Order 46(4). And I really feel that he is out of order.

Madam President: No. Minister, continue.

Sen. The Hon. C. Rambharat: More exercise for you, Madam President.

Sen. Mark: Madam President, can you—[*Inaudible*—]in the future to Members of Parliament as children. I would like to know, I am not a child.

Madam President: Sen. Mark, I made a ruling. But just—Sen. Mark, you did not hear what the Minister said. The Minister did not say that—he did not refer to

people as children alone, he continued but you did not hear that, and that is why I made my ruling the way I did. Continue, Minister.

Sen. The Hon. C. Rambharat: Thank you, Madam President. I think the double mask is pulling too hard on the ears.

Madam President: No, no, Minister, no. Could—

Sen. The Hon. C. Rambharat: I withdraw that, Madam President.

Madam President: Thank you very much.

Sen. The Hon. C. Rambharat: Sen. Mark is my friend, I withdraw that.

Yes, Madam President, the simple point I was making is that I was surprised that so many of us who are the children of immigration and migration and so on, and so many of us whose households have been influenced by the opportunity to work, to travel to other places, and in some cases live and work illegally, as in North America, could take this view that this simple piece of legislation warrants the type of objection, insularity and comments that have taken place in the last week in this House and outside this House.

And I close by saying, Madam President, that this is a commitment that we have made. This is something that must be done. And I look forward to my colleagues on the Independent Bench supporting this Bill and signalling to our friends in the region that Trinidad and Tobago, notwithstanding the circumstances that all of us face, continue to be committed to the ideal of regional integration. Thank you very much.

Hon. Senators: [*Desk thumping*]

Madam President: Minister of Foreign and Caricom Affairs.

Hon. Senators: [*Desk thumping*]

The Minister of Foreign and Caricom Affairs (Sen. The Hon. Dr. Amery Browne): Thank you very much, Madam President. Madam President, it is my distinct honour to again address this Senate on the Immigration (Caribbean Community Skilled Nationals) (Amdt.) Bill, 2022, which will amend the Immigration (Caribbean Community Skilled Nationals) Act, Chap. 18:03.

Madam President, I want to thank Sen. Rambharat for his intervention and his noble inclination to avoid me having to respond to anything Sen. Roberts may have contributed. But I just want to say that in his remarks, Sen. Roberts proved once again that the United National Congress is against the Caribbean Single Market and Economy. And it seems that Sen. Roberts found himself compelled to begin his contribution with some of the most sulphurous remarks against the Attorney General of Trinidad and Tobago that I have ever heard. And it reminds me—I will make a brief reference to a recent debate that we had when we spoke about the need for respect and the need for us as Senators to conduct ourselves in a manner befitting this honourable House, even befitting its architecture and the investment the taxpayers have made. And I want to connect that, Madam President, to our even boarder responsibility to the people, not just of Trinidad and Tobago, but the people of our beloved region.

Madam President, I listened to Members on the other side and I also listened to the Independent Senators that have chosen to contribute to this particular debate. I think it is incumbent upon me to remind the Senate why the Government has taken the important decision to bring this amendment Bill before the House. This Bill implements a system of legal and orderly migration with the relevant checks and balances that are enshrined in the clauses to ensure that member states maintain control of their borders, collect taxes and revenues, and ensure that their

law are upheld. I heard no principled objection or opposition to the merits of this Bill. I heard no principled objection to the Caricom Single Market and Economy. I heard no principled objection to the vision of Caricom. I heard several unprincipled references which I can only condense as red herrings. Fortunately, they came only and exclusively from members of the United National Congress.

Madam President, successive Caricom Heads of Government, including our own Prime Minister of Trinidad and Tobago, have looked at the CSME as the single most important route to economic and social recovery coming out of the COVID-19 pandemic. So, I heard lots of talk, “This is not the right time and we are now recovering from COVID”, how we going to do that as a country, how we going to do that as separate states within this very vulnerable region if we do not work together? And that is the principle I think my friends on the other side have completely missed in their zeal to just oppose. It is a Government Bill, therefore we must oppose it.

And my colleagues on this side have presented the reality that when they were in government, they were in support or paid to be in support of these very principles. And it is that now they are in Opposition it is considered the right thing to do, to oppose that which you claimed you are the architect of, Sen. Mark, through you, Madam President? He stood here and claimed paternity of these measures and then turned around and tried to abuse his own creation. That is not something that we can endorse at all on this side. And I want to quote the Prime Minister of the Republic of Trinidad and Tobago in his inaugural speech of his chairmanship of Caricom in 2021, and he said, and I quote:

“...we must continue to advance and strengthen the integration process and to harness the CSME to propel our economic recovery...”

That was in the middle of the COVID-19 pandemic. And when he spoke he spoke on behalf of all of Caricom. This is the leadership of Trinidad and Tobago, and the Bill before the Senate is in furtherance of that vision, and I have gone through some of the merits. It ensures that Trinidad and Tobago meets its Treaty obligations and is compliant with the Treaty of Chaguaramas—the Revised Treaty of Chaguaramas. Who here is opposed to that? Raise your hand—through you, Madam President. We cannot be. We cannot be opposed to that because we are all part of that. The Bill expands opportunities for Trinidad and Tobago nationals.

And again, I do not know if there is a selective hearing or selective deafness, but to pretend that this Bill empowers foreigners—and that where the xenophobia tends to come in—empowers foreigners to invade Trinidad and Tobago, misses the point that the primary applicants for skill certificates in this country are Trinidad and Tobago nationals. Why would any Senator—I dare not think Independent Senators, but even a UNC Senator, why would you want to deny our nationals the same powers that others have throughout the rest of Caricom? That is the question I put before the Senate this afternoon, Madam President.

And I defy any UNC member to stand now and answer that. Because to pretend that this is about—what is it?—gerrymandering, voter padding, or to pretend this is about opening the doors for floods of plumbers—someone referred to thousands of plumbers coming to Trinidad and Tobago, it is to either misread the Bill, and then we have a problem of literacy in the Senate, or it is to misrepresent what you know the Bill does and what you know the Bill contains. And that might be even worse, Madam President, because that is an attempt to deceive and hoodwink the population of Trinidad and Tobago.

[Madam President stands]

Madam President: Minister—

Sen. The Hon. Dr. A. Browne: “Oh”, I am sorry. I withdraw that comment—

Madam President: I have to caution you.

Sen. The Hon. Dr. A. Browne: I withdraw that comment. I would just say that would be even worse than illiteracy. Let me move on, Madam President, before I get myself in trouble.

The Bill also anticipates, as Senators have referred to, that there is also a pull factor for our global diaspora, and that is part of this one market that we are referring to. There are people outside, Caricom diaspora, living outside of the region who would then recognize it is not just their source country that is calling them back. It is the regional economy. And there is real potential in that to bring their investments back home and to bring their skills back home.

The Bill also puts the necessary systems in place to collect revenue and improve administrative processes. Revenues we have been foregoing. Other countries are busy collecting revenues under the skills certificate process. We have not been collecting a penny. That is what this Bill does. It just puts us on par. It does not give us a disadvantage at all. In no respect does this put us at any disadvantage. And it also puts strong penalties, increased penalties for any potential abuse. Who would stand here and defend abuse of the application process? We need deterrence. And most importantly, it ends—the Bill, when we pass it today, ends an asymmetry, where Trinidad and Tobago nationals can only move freely in a restricted number of categories because our legislation, to date, does not allow the CSME unit to accept applications from our nationals for the additional five categories. And that is what we are setting right. That is it. That is it.

So, I listened carefully to Members on the other side and I want to commend the Independent Senators. I am not just saying that as empty salutations or throwing flowers across the aisle, but there were some valuable insights shared. And I want to commend as well my colleagues on this side for some excellent contributions. And I do not want to exclude the UNC Senators, Madam President, because I am of the view that all points have value even though some may not have merit. I will ignore the obligatory political rhetoric that some sprinkled in their contributions, but I will treat with some of the more substantial points.

After listening to the contributions, particularly from the Opposition, it would seem they want our nationals to remain at a disadvantage and unable to access additional opportunities to live and work throughout the region, because that is the current situation and that is what we are seeking to change. How can Sen. Mark claim that his mandate is to seek the interest of our nationals while his party would not support a Bill that creates opportunities for our nationals, our women, our youth, our small and medium enterprises? All I heard was political posturing. And the opportunity should not be limited to university graduates and any particular special category of citizens. This is to open it up to additional categories. This does not take us the full distance. This does not mean free movement for everyone within Caricom but it is a step toward a free movement regime. It is a contribution and the Senate has an opportunity to make such a contribution.

And Sen. Vieira got it. And I always throw in a little line that I do not agree with everything that he says—well, I should not, but in this debate he got it, Madam President. He got it. And this free movement, why should it just be the purview of the Varma Deyalsingh's of this society? We need to offer it to other

sectors of society as well, the same opportunities. And Sen. Vieira said, and I agree, the categories have been too heavily weighted in favour of university graduates. I am a university graduate but as a public figure, and we all are, I have to be able to think for others as well, other categories of citizens as well. And other countries have done this. What we are doing here is special but it is nothing different to what was done elsewhere. A long shopping list of countries, why is Trinidad and Tobago—why would we even think about denying ourselves and, of course, forsaking our obligations under the Revised Treaty? I heard no principled argument to suggest that we should do that. So, I agree with what was Sen. Vieira's overall position.

And there was some scorn poured on categories of unskilled workers, unskilled—well, you might be differently skilled that does not mean that you are unskilled, Madam President, and I want to debunk that view. And some of it came from persons who in past debates were accusing others of elitism. Yes? And now the shoe is on the other foot, and they premised their argument on a very elitist view of our society. I took careful note.

I heard Sen. Mark on some airwaves calling for more pathologists and forensic and cybercrime experts. That is his recommendation, not realizing that these are degree holders. These are university graduates which was the first category eligible for free movement since 2001. So, tell the pathologists and the cybercrime experts they fall into an already recognized category. So, Sen. Mark, that ship has already sailed. Again, even when you think you have made a valuable point, what you have done is call for something that is already in place in Trinidad and Tobago. I can assure you, Madam President, the Government will make good on its word that all sectors will have equal opportunity and access to the benefits of

the CSME. We are taking a step in that direction with five additional categories, plus the five that already exist.

Sen. John—Sen. Jearlean John took on Mia Mottley—“whoa”, wow, that is a big fight. She took on Mia Mottley and her reference to “coalition of the willing”. And rhetorically she asked, willing to do what? Some people have not been paying attention to the Caribbean Community. She asked, willing to do what? Let me answer, willing to work together to recover from the economic impact of COVID-19. No island can do on its own. None. CSME is not the problem. It is the solution to the problem. I do not want to dwell on Sen. Nakhid too much at all but he said the Bill only make sense of the categories are defined. Obviously, he has denied himself the benefit of referring to the very basic CSME handbook that is available to all literate nationals of Trinidad and Tobago where these categories are all defined. I am not going to waste any more time on that.

Madam President: Minister—

Sen. The Hon. Dr. A. Browne: And when I try to decide—

Madam President: Minister. Minister, I will ask you to be a little careful with—

Sen. The Hon. Dr. A. Browne: [*Inaudible*]

Madam President: Yes.

Sen. The Hon. Dr. A. Browne: Thank you, Madam President, I will be completely guided by your admonition.

I tried to decipher what Sen. Nakhid, what his point was and his rhetoric again was about the East-West Corridor and, you know, he said that this—looking at the small man on the East-West Corridor and the Bill is somehow going to put them at a disadvantage. And that is a recurrent theme for Sen. Nakhid. But I want to say, when I listened to his concern for the small man on the East-West Corridor

that he must not have been around the last time the UNC was in the government of Trinidad and Tobago. His talk about discriminating against those elements of society, he must not have been around the last time his party was in power. Because I seem to recall a particular administration filling trucks with persons from that East-West Corridor and jailing them for no reason; mass jailings. Maybe he did not have access to the Internet wherever he may have been. And he said, we are concerned about the—he repeated it—we are concerned about the citizens of Trinidad and Tobago. Well, if you are so concerned, as a Senator, I would say you would do two things today: one, is to support this CSME Bill, and two, you would stay a million miles away from the United National Congress.

Hon. Senators: [*Desk thumping*]

Sen. The Hon. Dr. A. Browne: Madam President, I also want to remind the Senate that the national and regional private sector stakeholders have lobbied heavily for the expansion of these categories. This is not the Government acting on its own. This is our business sector, small, medium, large enterprises, sole traders, recognizing that they benefit—they will benefit significantly from the expansion of these categories. Many of our companies—and it is not just the Massy's and the Chief Brand's—but companies in various sectors have been taking advantage of regional opportunities, and they can do so even better.

I heard a back and forth with Sen. Lyder and his private sector, laudable investments elsewhere in the region. But you cannot make those investments as a Trinidad and Tobago businessman. Those—let me rephrase that. Those investments will be best facilitated in an environment in which your skilled workers in various categories can move across the region as well to support your investments. That is when it makes the most sense. So, I was very disappointed

that Sen. Lyder, of all, could not get the message or maybe because where he sits he has just denied himself the benefit of the message. And there are many benefits to be derived from the free movement regime, as recognized by Sen. Thompson-Ahye and Sen. Vieira, as well as other colleagues, captured in this Bill. And I want to commend Sen. Thompson-Ahye for her references to the Sustainable Development Goals which should arise in every debate in this Senate. I want to endorse her words. I want to say that gender equality and empowerment for women and girls are factored in the Bill because of the expanded opportunities in a region in which we must appreciate diversity and where women must be represented at all levels of society. And I want to tell the Senator that our CSME unit, as it stands, is powered by a powerful team of women with one young gentleman in between. He is a happy fellow. I commend them for their work.

And, Madam President, both Minister of Trade and Industry, and Sen. Vieira, spoke about the principles of reciprocity and good faith. And both are important tenets enshrined in international law. Trinidad and Tobago—*[Interruption]*—please.

Sen. Richards: *[Inaudible]*—give way. Just as a matter of interest—I do not know if it was mentioned earlier on. Would you be able to identify if Caricom has a mechanism that is able to track the movement of persons and their skills across the region so as to identify the successes of these proposed types of initiatives and/or the gaps that may be filled later on? Thank you.

Sen. The Hon. Dr. A. Browne: Thank you, Senator. Madam President, it is an important question. The Caricom Secretariat does compile those types of data. It is usually brought in a little bit after the fact and it usually is corroborated through the CSME units in the various jurisdictions. So what they would have is the

application data, they would also have their verification data and they will also have the approvals that are done. So, those statistics are available, and this has been going on, as you know, Senator, for some years now. This is nothing new. This is just an expansion in keeping with our obligations.

Trinidad and Tobago is a beneficiary of the CSME. There is no doubt that. Our goods, our services, our businesses are leaders in the region and we are giving them even more opportunities to thrive. We have created jobs, investments, opportunities across this region. Everywhere you travel you see Trinidad and Tobago products. Everywhere in this region. That is something we should be proud of and we have the opportunity to build on that even more.

Let us say a barber wants to go to the Half Moon Resort in Jamaica, he is the best barber in his community and he wants to go and spend a year and cut Prince Williams' hair, or whoever visits the Half Moon Resort, why would we want to deny him that privilege? He can apply right here in Trinidad and Tobago for a skills certificate and it falls to all the other categories as well. And there is this talk about the flooding to our shores, flooding to our shores. Madam President, how much more time do I have?

Madam President: You finish at 5.34 and it is 5.26. You have about seven minutes.

Sen. The Hon. Dr. A. Browne: Good Lord. Thank you, Madam President. So, skilled certificate holders flooding to our shores. But what they have not told the public—especially Sen. Mark because it is he who started this migrant flooding talk—is that Barbados, Jamaica, Belize, Guyana, St. Lucia, St. Vincent and the Grenadines and others have all expanded their categories for free movement since 2006. And their nationals have had the choice to live and work in Trinidad and

Tobago before, during and after the last UNC administration. Where was the flooding then? Where was the voter padding then, I ask? We cannot agree with that logic and I say to Senators that is only an attempt to distract from the merits of the Bill which they have not criticized in any way, shape or form.

I just want to touch on a few specific clauses. Sen. Thompson-Ahye and Sen. Lutchmedial had some comments on section 4(c) of the Act, clause 4. They stated that the expanded definition for dependents was too restrictive and the meaning of dependent should be, anyone who is wholly dependant on the main beneficiary, for example, parents, grandparents, a student who is on sabbatical, et cetera. Madam President, I hesitate to accept that. I think the expansion for dependents does support family life, whereby a parent or grandparent who is wholly dependant on the main beneficiary of a skilled certificate holder has the right to live and move. But a carte blanche is not recommended at this time. So, I hear the submissions. The drafters—we have had some discussions. We did not want to open it up at this stage to the entire pumpkin vine that can possibly feature within a Caribbean context. If we open this up completely for any applicant to claim any relative as being wholly dependant, we may have a scenario that provides an avenue for abuse. But it is something that we can look at further in the future.

There were references to mechanisms for persons convicted in a Member State. Sen. Lutchmedial made some strong points along those lines. But the spirit of the free movement is to live and work in a Member State under conditions of national treatment. So, there are no additional—

Madam President: Minister, you now have five more minutes.

Sen. The Hon. Dr. A. Browne: —monitoring mechanisms for non-national skills

certificate holders. And again, this is consistent with Caricom Heads of Government's decision from July 2006, on forward.

5.30 p.m.

There was talk about the Registrar, and he is a political appointee and the Minister hiring and firing; that was Sen. Lyder. But those comments could only come from someone unfamiliar with the public service and who would never have worked in a Government Ministry. The Minister is the policymaker and policy implementation occurs to the Permanent Secretary who is the accounting officer. So, no, the Minister does not have the power to hire and fire any Registrar under our Constitution.

There was other talk about the power of the Minister, et cetera, none of it really had much merit. And I just want to make a final point about spouses, again, Sen. Thompson-Ahje and Sen. Lutchmedial expressed concerns about clause 18. But the fact is, the alignment of the definition of spouses does not really apply because the Cohabital Relationships Act, Chap. 45:55, only treats with cohabital relationships in set circumstances, property and maintenance dispute with respect to children.

So, Madam President, I know I just have, maybe four minutes left, there were comments about the timing of the Bill and I will not dwell on that because this is not on the eve of any Caricom meeting. The last intercessional has occurred. We are fulfilling our obligations which have been on our shoulders for some time. Madam President, this Bill is good law for the people of Trinidad and Tobago and it is also good news for our citizens and for the people of the region. We have been divided by the cold hand of colonialism but we have always been connected more and more in accordance with the Revised Treaty of Chaguaramas, those

connections are being enshrined in law, in Barbados, Guyana, Belize, Grenada, St. Lucia, St. Vincent and the Grenadines, now Trinidad and Tobago.

Caricom day is July 4th but maybe we can have a mini celebration today as we take another key step towards a single market and economy. We are repaying the faith that the founders of Caricom had in us and we are demonstrating our faith in the next generation who will all benefit from the CSME. Madam President, we are Caricom and Caricom is us and I want to end by thanking Senators for their input. I thank the Senate for its support and for our collective effort for the future. Madam President, I beg to move.

Hon. Senators: [*Desk thumping*]

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole Senate.

Senate in committee.

Madam Chairman: Hon. Senators, there are 19 clauses in the Bill and there are two sets of amendments—sorry, yes, there is one set of amendments. I do not know if everyone has had sight of the amendments?—because I am seeing some—no? So hon. Senators, what I intend to do is to suspend the committee for 10 minutes and we will resume at 5.45p.m. So the committee is suspended for 10 minutes.

5.36 p.m.: *Committee suspended.*

5.45p.m.: *Committee resumed.*

Madam Chairman: So hon. Senators, we are about to commence.

Clauses 1 to 6 ordered to stand part of the Bill.

Clause 7.

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

In paragraph (a), delete the word “revoking” and substitute the word “repealing”.

Madam Chairman: Minister, you have proposed an amendment.

Sen. Dr. Browne: Yes, Madam Chair. We—in paragraph (a) we wish—we delete the word “revoking” and substitute the word “repealing”. This improves the language and it offers the correct terminology within this particular clause.

Madam Chairman: Any questions or comments?

Question put and agreed to.

Clause 7, as amended, ordered to stand part of the Bill.

Clauses 8 and 9 ordered to stand part of the Bill.

Clause 10.

Question proposed: That clause 10 stand part of the Bill.

In section 7C -

- A. Delete subclause (5); and
- B. Renumber subclause (6) as (5).

Madam Chairman: Minister.

Sen. Dr. Browne: Madam Chair, thank you. As circulated in section 7C we have circulated to delete subclause (5) and renumber subclause (6) as (5).

In terms of the explanation, subclause (5) stated that there would be a penalty for not reporting to the Ministry of Foreign and Caricom Affairs that the skill certificate was lost. That particular penalty is deemed unnecessary. We have not been able to identify similar offence of that nature in the legislation of other Caricom jurisdictions and therefore we wish to remove that specific penalty from the amendment Bill.

Question put and agreed to.

Clause 10, as amended, ordered to stand part of the Bill.

Clauses 11 and 12.

Question proposed: That clauses 11 and 12 stand part of the Bill.

Sen. Vieira: Just a question, not an amendment. I had asked during the debate about the position of the University of Trinidad and Tobago in light of the fact that the University of the West Indies has to give these recommendations. I just wonder if we could indicate that for the record what the position is.

Mr. Al-Rawi: They are actually caught by the language of the section as amended. So if you just look at the section of the Act that is amended, which is section 8, section 8 of the parent law says: So we are deleting (a), (b) and (c) of the parent law and you will note that the University of Trinidad and Tobago was reflected. We had:

“(a) ...University of the West Indies...”—we had—“...University of Technology, Jamaica, or...University of Guyana...”

And then we had a degree:

“(b) ...University of Suriname...”

(c) ...University degree...is recommended by...University of the West Indies...at least comparable...”—which is what was (c).

In keeping (d):

“a certificate from the Secretary-General of the Caribbean Community attesting that university level qualifications possessed...satisfy...”

(d) captures the UTT and all other institutions because what we are doing we are harmonizing the availability of one certificate coming from Caricom itself.

So what we did in amending section 8 of the parent Act was to take away all the iterations because as accreditation happens from stage to stage we would not have them legislatively or positively set out. So what we have done, Accreditation

Council, Caricom Single Market, the Caricom Secretariat does the approvals and under the Treaty of Chaguaramas they already captured all of the accredited institutions and UTT is one of them.

Sen. Vieira: So for the record then, a graduate of UTT should feel secure in the knowledge that they can go throughout the Caribbean—

Mr. Al-Rawi: UTT, COSTAATT, University of the Southern Caribbean, all of them too many to mention are caught because they are all accredited and they go to the CSME, they go to the Caricom Secretariat.

Question put and agreed to.

Clauses 11 and 12 ordered to stand part of the Bill.

Clause 13.

Question proposed: That clause 13 stand part of the Bill.

- (A) Delete the words “subsection (1)” and substitute the words “subsection (2)”; and
- (B) Delete the new subsection (1A) and substitute after subsection (2), the following new subsection:

“(2A) For the period of the duration of a permission under section 3(1), the spouse to whom section 3 applies shall, notwithstanding the provisions of any other law but subject to sections 4 and 15, have the right to work for a period of six months in Trinidad and Tobago without the need to obtain a work permit.”.

Madam Chairman: Minister. Attorney General.

Mr. Al-Rawi: Thank you, Madam Chair. Madam Chair, in proofreading the Act as proposed to be amended, we noted that in clause 13 we had to cause this amendment. And if I could just explain. We amended in clause 4, that is it, let us be sure, it is now clause 4 of 5, we amended in clause 5, we repealed section 3 and

section 4 of the Act. Section 3 and 4 were repealed and replaced. Section 3 and then section 4—one moment, we are using a different copy from the one that I have, what we did is we inverted what the Act had in its parent form.

So in the Act without amendment, section 3 was the springboard which gave the six-month position. So the Act as originally placed was for six months, section 3. Section 4 is where we dealt with the indefinite duration. In causing the amendments to repeal sections 3 and 4 and replacing them with a new 3 and 4 we put the 3 as indefinite and the 4 as six months.

Accordingly therefore, Madam Chairman, what we had to do was to harmonize that amendment and remove the period for the contingent rights, that is the wife, to cross-reference the thing appropriately. So the substitution of a new (1A) would have been inappropriate because it was not intended to apply in that section. Instead, it is now the new (2A). So if you look at the Bill as drafted, the Bill proposes in this clause 13 that we insert a new (1A). When you look at that it really should be a new (2A) because it was always the intention that the contingent right went that way. So if you read what the new (2A) is:

“For the period of the duration of a permission under section 3(1), the spouse to whom section 3 applies shall notwithstanding the provisions of any other law but subject to sections 4 and 15, have the right to work for a period of six months in Trinidad and Tobago without the need to obtain a work permit.”

So this is to harmonize the fact that we had swapped around six-month with indefinite and therefore this is the proper place to put it.

Madam Chairman: Sen. Vieira.

Sen. Vieira: Thank you. And Attorney General, I take it that in this section you were using the word “spouse” in a restricted manner as husband or wife, not

cohabitant or mate.

Mr. Al-Rawi: Yes. For the record and for clarity, the Government shared the concern about the other forms of union. We in Trinidad and Tobago and at the LRC with the Minister of Foreign and Caricom Affairs we discussed very broadly other unions, albeit that the Cohabital Relationships Act gives the rights in respect of children of cohabital relationships. The concept of cohabital relationships was to accept what we called common law positions. And therefore the question which came in the minds of all members of the LRC was, should we include the informally or relationships that we in our country accept has certain benefits, albeit to the respect of their dependants.

What we did in agitating that issue is we went to the Caricom Secretariat, we specifically asked about the situation of cohabital relationships and the Caricom Secretariat confirmed for us that they had not yet gone that route, that it was a matter for heads of Governments to decide and to determine and because we need to keep in step with the rest of Caricom so that the reciprocity is based upon things being equal and not unequal, at this stage we are going with the formal union.

What we were comforted by is the fact that the cohabital relationship could include the common law spouse applying under the CSME in any event, albeit in a singular application as opposed to a married application. At some point in the future we expect the heads of government to be in a position to hold on to these decisions and therefore perhaps the category of “other” can be included.

Sen. Vieira: I would just like to thank hon. Minister and AG for taking this to the Caricom Secretariat, because as you know there were very strong feelings in the debate on this and I understand that you are saying that we do not have a choice because it is an international set of laws that must be consistent across the board.

But I would just like to put on record that I would urge the Caricom Secretariat to be a little more broad because I think the restrictive view is passé, they are out of step with the contemporary norms, particularly when you are not—not just with cohabitants, but also same sex marriages. And if you are a region that we are encouraging tourism then this is really out of step with marriage becoming a thing of the past in a way.

Sen. Thompson-Ahye: Madam Chair—

Madam Chairman: Yes, Sen. Thompson-Ahye.

Sen. Thompson-Ahye: I have heard what the Attorney General had said, but I would like him to put this in the context of the fact that within their Caricom legislation both Jamaica and Barbados defined “spouse”:

- “(a) a single woman who has lived and cohabited with a single man as if she were in law his wife for a period of not less than 5 years immediately preceding the date of the application under this Act;
- (b) a single man who has lived and cohabited with a single woman...”

So if you could have Jamaica and Barbados going that route I do not see, I am very sorry but I do not see the sense of your saying here that cohabitation, because the other jurisdiction have not gone that route we cannot go that route. What makes Jamaica and Barbados have their law, their matrimonial law, whatever law, into their Caribbean community free movement of skilled persons Act and we must be different? Is it that we do not have the courage of our conviction to know that we must go across the board?

So there have been very prominent people in the Caribbean who have moved with their common law spouses to other jurisdictions. You know, so why is it that we coming here today to find that, “oh” we cannot do that. Tell me how we cannot do it and Jamaica and Barbados has widened the definition of spouse. Please

explain.

Mr. Al-Rawi: Sure—

Sen. Thompson-Ahye: I am at a loss.

Mr. Al-Rawi: Sure, thank you.

Madam Chairman: Attorney General.

Mr. Al-Rawi: I thank Sen. Thompson-Ahye for her welcomed passion on the issue, which I share. First of all, at the Legal Affairs Committee of Caricom we have certain reservations that are put in and we look for harmony to ensure that there is broad scape positions. We are not, for the record, timid to make amendments. Far be it for that to be proved by the fact that we abolished child marriage long before anybody else in the Caribbean did, notwithstanding stout opposition from the UNC Bench.

So, we are certainly not afraid of amending any law. The principle of consistency however from the Caricom Secretariat is something which we will raise at the Caricom table in the heads meeting. For the record we are currently, Trinidad and Tobago has advanced from the Legal Affairs Committee under my chairmanship the concept of enhanced cooperation and enhanced cooperation includes broadening these aspects. This is not something that we intend to leave alone.

Sen. Vieira mentioned something which is very important, the issue of same sex marriage has been something that is in discussion. The Privy Council yesterday ruled with respect to the laws of Jamaica, Bahamas, et cetera, rejecting the principle of same sex marriage in those jurisdictions. I am looking at those judgments. I will remind that we have certain laws under appeal in the Jason Jones matter and we are before the Privy Council ourselves. So, for the record and for the assurance to my dear colleague Sen. Thompson-Ahye, Trinidad and Tobago is not

without a spine and without the courage to make amendments. Our laws are very progressive and we would take that at the Caricom Heads meeting as soon as it arises and once we have done the run-up to that wicket. So we will certainly be doing that.

Sen. Thompson-Ahye: You have not answered my question about Jamaica and Barbados.

Mr. Al-Rawi: Because they have reservations that they did with themselves. So they prepared on the basis of their advance in other reservations that they had. I cannot speak for Jamaica and for Barbados themselves, but what I can tell you is we did go to foreign affairs and to Caricom Secretariat to traverse the issue of cohabitational relationships and we will raise it in the Legal Affairs Committee for the Heads of Government so that we have a harmonized position.

Question put and agreed to.

Clause 13, as amended, ordered to stand part of the Bill.

Mr. Al-Rawi: Madam Chair, forgive me for interrupting. I was just double-checking because I found the actual clause, clause 13 as amended and we have already traversed that. And in cross-referencing what was in the original Bill as (1A) which was meant to be removed and replaced in to (2A), I have noted the inclusion of some words that ought not to be there in the draft that are circulated. So when convenient to you if you could kindly revisit that clause as it may be convenient to you and the Senate.

Clause 13 recommitted.

Question again proposed: That clause 13 stand part of the Bill.

Mr. Al-Rawi: Madam Chair, if I may explain. In the circulated draft you will note, it says:

“For the period of the duration of a permission under section 3(1), the

spouse to whom section 3 applies shall, notwithstanding the provisions of any other—written—law but subject to sections 4 and 15, have the right to work...”

These words, “for a period of six months”, are not in the Bill as (1A) originally had. And therefore, the words “for a period of six months” ought to be deleted so that it would just continue “within Trinidad and Tobago”. And if I could explain. This is the contingent right of persons who have the ability to indefinitely stay in Trinidad and Tobago and therefore it would be wrong to put a six-month limitation period. I apologize, Madam Chair, I only got the circulated amendment and I know our team was working under some pressure.

Madam Chairman: So, hon. Senators, the question is that clause 13 stand part of the Bill. The question is that clause 13 be amended as circulated and further amended by deleting the words at (2A), namely, “for a period of six months”.

Question put and agreed to.

Clause 13, as amended, again ordered to stand part of the Bill.

6.05 p.m.

Madam Chairman: Attorney General, Minister.

Mr. Al-Rawi: You want me to repeat it again?

Madam Chairman: Yes, but we just wanted to understand—

Mr. Al-Rawi: Yes, Madam Chair, if I could?

Madam Chairman: Yes, please.

Mr. Al-Rawi: So, Madam Chair, for sequential purposes we put in the proposed insertion of a new clause which I know procedurally we must take at the end—

Madam Chairman: Yes.

Mr. Al-Rawi:—and, therefore, the amendment as circulated, which says clause 19 as renumbered, clause 20 as renumbered, if we are looking to that to make sense, it

is actually clause 18 and clause 20, Madam Chair, before they are renumbered. Because with the insertion of the new clause they would be renumbered.

Madam Chairman: Is it 18 and 20 or 18 and 19?

Mr. Al-Rawi: 18 and 19 it should be. Forgive me.

Sen. Thompson-Ahye: Madam, may I ask is clause 18 remaining as is?

Madam Chairman: Sen. Thompson-Ahye may I just put the question first and then we will have the discussion?

Clauses 14 to 17 ordered to stand part of the Bill.

Clause 18.

Question proposed: That clause 18 stand part of the Bill.

Insert after the words “has lived with the principal Beneficiary”, the words “in Trinidad and Tobago”.

Mr. Al-Rawi: Madam Chair—

Madam Chairman: Attorney General.

Mr. Al-Rawi:—clause 18 is proposed to be amended to include the words “in Trinidad and Tobago”. The reason is, with respect to the contingent right of the spouse who is divorcing the principal beneficiary, we propose that the contingent right is triggered—that the spouse may continue under the contingent right principal provided that the residency has been in Trinidad and Tobago for five years. The reason for that is that it keeps it in harmony with the provisions of our Immigration Act, in particular section 5(1) of the Immigration Act which has a 12-month period on the back of a four-year period and that is to treat with those circumstances. The Minister under the Immigration Act still has the facility under 5(1)(f) of the Immigration Act to act otherwise and it does not prohibit the spouse under the contingent right principle of making an independent application in any event.

Madam Chairman: Any questions or comments?

Sen. Thompson-Ahye: I mentioned in my contribution I object strenuously to this particular provision and I see no other jurisdiction has this particular provision, and I really, you know, I have to think that— I do not know how many women are on the legislative committee, but really as I know you said elsewhere, you really need to get a women's caucus within the legislatures to look at the Act from a woman's point of view. Because this Act could really and I have pointed out in many ways, where it could really work an injustice to a woman. No other jurisdiction has this you know that:

“...where the spouse of the principal beneficiary is living or has lived with the principal beneficiary for a continuous period of five years or more and is subsequently divorced...the spouse or any independent member at the time of divorce, shall continue to enjoy the rights...”

So if you live—if your marriage breaks down before five years then you lose the benefit that a spouse would have. And it is mainly the women you know, it is mainly the women who suffer. I am not saying that only the man could be a principal beneficiary, but most times if you look at the statistics you will see that usually the man is the one who has the benefits. As a matter of fact, in a particular jurisdiction they do not envisage that a woman could be the one moving. So the law does not even provide for the woman to get the benefits, and in such a case in this particular country for the woman to move with her husband she had to employ him as a companion. So it gets to that point of being ridiculous. So we must always think about what could happen in a situation like this. You are forcing the person to stay in a marriage for five years just to get the benefit in Trinidad and Tobago? No other jurisdiction is doing that. Why are we treating our women like that?

Madam Chairman: Attorney General.

Mr. Al-Rawi: Thank you, Madam Chair. First of all the word “spouse” is not woman nor is it man. It is somebody who is married and, therefore, there is gender neutrality in this clause. Secondly, the current law does not have the contingent right at all. So the current law before we amend it does not permit a spouse to continue in circumstances where in our view it would be unjust to exclude the spouse, male or female, from the jurisdiction. Further, Madam Chair, the law, the very Caricom skills Act that we are amending permits an application at any point in time and, therefore, any spouse is not confined to the operation of the new clause 17, section 17, that we are proposing. There are independent avenues of operation. So therefore, as passionate as I know and as nobly intended is as the hon. Senator is, I must be forceful in saying that this is a gender neutral position which is without prejudice to the other remedies and avenues available to any spouse be it male or female.

Madam Chairman: Sen. Vieira.

Sen. Thompson-Ahye: Madam—

Madam Chairman: Sen. Thompson-Ahye, just one second.

Madam Chairman: Sen. Vieira.

Sen. Vieira: Thank you, Chair. Hon. Attorney General, I think Sen. Thompson-Ahye has a point. I am not talking about the gender neutrality aspect of it. I think the concern really is about for the “continuous period of five years or more”. Because what it means is that someone comes into Trinidad, the marriage breaks up in the second or third year, the spouse has no rights because of this qualifying requirement of five years or more and an injustice would be perpetrated. And as Sen. Thompson-Ahye is saying, for the injured spouse to qualify she would have to stay in the marriage for a continuous period of five years or more. So I am wondering whether we just strike out “for a continuous period of five years or

more” and it still has the sense— It would read:

“...the spouse of a principal beneficiary is living or has lived with the principal beneficiary and is subsequently divorced from the principal beneficiary...”

Mr. Al-Rawi: So, Madam Chair, I want to be careful that we recognize that the Caricom arena has different points of entry. So in Antigua you can acquire citizenship by passport purchase, by investment, et cetera. This is something which is quite significant in the factoring for Trinidad and Tobago. Also too, if there is no reference to a period what happens is that marriages of convenience can also enter into the situation. So not having a prescriptive time frame can be problematic if the person enters just one day after and there is a divorce. Two months after, a year after, or two years after. It is after all in the round the circumstances. The way I had addressed the issue is to say: What stops someone from applying on an independent basis? The entitlement to apply in the Immigration Act as a resident—so the Immigration Act is constructed such that section 5 of Immigration Act specifically prohibits the counting of any period under a permit.

So let us assume that a foreigner was married to a Caricom national, came to Trinidad and Tobago under these provisions, they would be entering under a permit. Under the Immigration Act a permit would not be counted for the period of permit. So the person would be without remedy to residency requirements. What this does because it calculates the section 5(1) of the Immigration Act formula, is that it automatically says that you are qualified and that the permit will be counted. So the complication in no prescriptive period is that marriages of convenience can happen. Now, I want to bear this in mind, you have to remember that we are also treating—and this is quite pointed—with the issue of terrorism, financing of terrorism, trafficking in persons, other forms.

If you look to the category of persons in the Schedule that qualify for entry into Trinidad and Tobago and you watch to the last category, it is a very broad category including security guards, including a number of things. So how we treat with this issue and it is something that has arisen in the anti-terrorism world and the preventing extreme violent—not that all persons are in that category please—but bear in mind that we have to consider the gateway to this position, and the rationale for the five years comes out of the extrapolation of section 5(1) of the Immigration Act. So that is where it came from. What I can give an undertaking on right now is that we will go to the Caricom Secretariat, we will specifically raise the issue, we will get an immediate answer if the period is as quick as between now and the House should this Bill meet with consent, then we can cause the amendment and we will come back.

So an undertaking on the record is not something that I have ever broken and it is something that I hold to religiously. I can give that undertaking now. But I would want to be careful that the policy is carefully done, lest we throw the baby out with the bathwater.

Sen. Vieira: I appreciate that AG, and as you were talking it occurs to me that even if I have my way and got this amendment there will be an inconsistency in the law because it only apply to spouses who fall under this Act. What we really need is an amendment to the Immigration Act that will allow for, not just Caricom nationals, but any woman or any spouse who finds themselves in that kind of difficult situation.

Mr. Al-Rawi: So that is where section 5(1)(f) of the Immigration Act permits the Minister the discretion to grant residency in certain circumstances. I can tell you that we are working at the AG's Office on significant number of amendments to the Immigration Act because it is a very old piece of law and that we are in the

middle of working that out. And you did raise a very important point. Madam Chair, if you just forgive me, I would want to be careful about implied repeal and, therefore, I would have to scrub the other laws to make sure that the inconsistency in the later Act did not cause an amendment to an earlier Act that I did not intend.

Sen. Thompson-Ahye: You know you talked about terrorism—

Madam Chairman: I wanted to ask you, Sen. Thompson-Ahye, to put on your mike because we are not hearing you.

Sen. Thompson-Ahye: Okay. Are you hearing me now?

Madam Chairman: I am.

Sen. Thompson-Ahye: Yes. Raising the issues like terrorism and so on you know, it just arouses us a certain kind of negative feeling, and you know there is always in the Act—in fact it is there—that you can always get rid of undesirables. Yes? So that is really no excuse. And even when you use gender neutral language it does not make it gender neutral because the reality of women's lives is really different from that of a man in many instances and we have to be aware of that. So that I remain unhappy with this provision. I know that you say you do not give undertakings lightly. I am still waiting for the sexual harassment Act to come on board and other legislation as well, and I really do not see why we have to have this here. I am not at all convinced, but I am just one vote. So I remain unhappy.

Madam Chairman: So hon. Senators, the question is that clause 18, be amended, as circulated.

Question, on amendment, agreed to.

Question put and agreed to.

Clause 18, as amended, ordered to stand part of the Bill.

Clause 19.

Question proposed: That clause 19 stand part of the Bill.

Madam Chairman: Attorney General, we may need some guidance—

Mr. Al-Rawi: Yes, Madam Chair.

Mr. Al-Rawi:—on the amendment that has been circulated.

Mr. Al-Rawi: Surely. So, Madam Chair, in the amendment as circulated you will see the reference to clause 20 as renumbered. If you just kindly in that margin bear in mind that it is 19—

Madam Chairman: Not that part actually, sorry.

Mr. Al-Rawi: I know. I am going to the Schedule if you would give me a second.

Madam Chairman: Yes. If you look to the back, you would see new Schedule III.

Mr. Al-Rawi: I am coming to that.

Madam Chairman: Okay. All right.

Mr. Al-Rawi: Yes. So, Madam Chair, because the Schedule is part of clause 19, it is an error. It is wrong to put it as new Schedule III. It should be taken in the round with clause 19. So the clause 19 amendment will be with respect to that circulated as it relates to Part A, which is the reformulation of the form. What I can tell you with respect to that is that the category of persons was too narrow. We had to include all 10 categories and not five as in the Bill, as circulated. And then the aspect of the clause 19 which treats with the Schedule referred to as Schedule III, it was to insert a new category, a university graduate. That comes from the parent Act in and of itself. It was inadvertently omitted in the Bill and it is proposed to be inserted as a new (h), and then we renumber (h), (i), (j) and (k) as items (i), (j), (k) and (l). So in the draft, as circulated, it should be that the aspect of clause 19 which is Schedule III, and the aspect of clause part 19 which is A, is amended as circulated for the reasons expressed.

Sen. Dr. Dillon-Remy: Madam Chair, I have a question. Attorney General, a question on Part A. You can only apply in one category, or—you can only apply in

one category. In other words, you cannot be a university graduate and a professional nurse? I am asking.

Mr. Al-Rawi: Madam Chair, insofar as it is a form to be filled out there is nothing to stop you from ticking the box.

Sen. Dr. Dillon-Remy: More than one.

Mr. Al-Rawi: Yeah. How the official considers it is a different matter, because remember these things will be vouched.

Sen. Dr. Dillon-Remy: Yes.

Mr. Al-Rawi: Yeah?

Sen. Dr. Dillon-Remy: Okay.

Madam Chairman: So hon. Senators—

Sen. Dr. Browne: Madam Chair—

Madam Chairman: Yes.

Sen. Dr. Browne:—if you would permit me?

Madam Chairman: Sure.

Sen. Dr. Browne: What we are treating with here is the application form and I would just want the committee to just have the benefit of a little bit of background data which I did promise previously. So just very briefly to share with committee Members that between 2015 to 2021 for Trinidad and Tobago nationals, there were 1,858 applications for skilled certificates in Trinidad and Tobago. That is by T&T nationals. And when you look at other nationalities applying for skilled certificate between those years using the existing application form I can give you the data: from Antigua and Barbuda, it was 15 applications; Belize, eight applications; Guyana, 185 applications; Haiti, two applications; St. Lucia, 97 applications; St. Vincent and the Grenadines, 77 applications; Barbados, 117 applications; Dominica, 36 applications; Grenada, 75 applications; Jamaica, 284; St. Kitts and

Nevis, 14; Suriname, five; and Montserrat zero. Juxtaposed against Trinidad and Tobago for our nationals, 1,858 applications were made using the existing form. So thank you, Madam Chair, for your flexibility.

Sen. Mark: Madam Chair.

Madam Chairman: Sure.

Sen. Mark: Through you, Chair. Hon. Minister, could you just remind us again of the period? Is it 2012?

Sen. Dr. Browne: 2015 to 2021, Madam Chair. Thank you. And if the Member of committee was seeking for the period 2020 to 2015, which he might be a little more familiar with, in during that time—

Sen. Mark: 2010?

Sen. Dr. Browne: 2010 to 2015, yeah—during that period there were 1,708 skilled certificates were processed. Out of those 1,356 were for T&T nationals, and 451 were nationals of other Caricom countries. But just to reinforce the point in support of this application form that T&T nationals have always been the predominant beneficiary above any other jurisdictions.

Sen. Mark: May I, Madam Chairman, through you, I do not know if you are familiar with the JSC Report on Foreign Affairs. If you are, let me just remind you that there is data emerging from that Report and that Report was published at the end of 2020, and you say up to, I think it was December of 2019, there were some 4,000 skilled certificates issued by the Foreign and Caricom Affairs Ministry. I do not know if that had to do with nationals of our country or it had to do with foreigners, but I know that the number was 4,000. So I do not know if you could clarify that for us?

Sen. Dr. Browne: Madam Chair, Sen. Mark is almost making me regret presenting the accurate statistics, but this is the data that we have before us coming out of the

CSME Unit. I know he has taken the opportunity now that I have shared this to make other references, but I cannot refer to what is not before us—

Sen. Mark: No, I am not on confusion you know, Minister. Please.

Sen. Dr. Browne: So you gave a much bigger figure.

Sen. Mark: No, it is not me. I am saying that there is a report.

Sen. Dr. Browne: Well, it is you. You are bringing it to the committee.

Sen. Mark: No, it is just for clarification. That is all. Do not shoot the messenger.

Sen. Dr. Browne: I am not shooting you.

Hon. Senators: [*Desk thumping*]

Sen. Dr. Browne: I am not shooting Sen. Mark.

Hon. Senators: [*Desk thumping*]

Sen. Mark: Messenger is just seeking clarification; that is all. Madam Chair, I just—

Sen. Dr. Browne: I am not shooting you, Mark.

Sen. Mark: Madam Chairman, I rest my case.

Sen. Dr. Browne: Madam Chair, I am not shooting any Senator.

Madam Chairman: So Members, I think—

Sen. Dr. Browne: Madam Chairman—

Madam Chairman: Yes.

Sen. Dr. Browne:—all I can do is to reinforce the accurate statistics that I have presented to the committee. Sen. Mark can give any figure he wishes at this point. I am not—

Sen. Mark: I am giving the figures—

Sen. Dr. Browne: You are giving the figures.

Madam Chairman: All right.

Sen. Mark: Madam, I can give you the—

Madam Chairman: No. Sen. Mark, I think you have asked the Minister a question, he has sought to answer you and I think at this stage we will now continue with the committee's deliberation. So hon. Senators, the question is that clause 19, be amended, as circulated.

Question put.

Madam Chairman: Sen. Mark and Minister, please.

Question put and agreed to.

Clause 19, as amended, ordered to stand part of the Bill.

New clause 14.

In section 10A—

- (A) In paragraph (a), delete the words “infinite duration” and substitute the words “six months”; and
- (B) In paragraph (b), delete the words “six months” and substitute the words “infinite duration”.
- (C) Renumber clauses 14 through 19 as 15 through 20.

Mr. Al-Rawi: Madam Chair?

Madam Chairman: One second. Yes.

Mr. Al-Rawi: As written before, it was read a second time, Madam Chair, could I just with your indulgence say that what was printed here unfortunately we could not get the cleaner version before us all. So would you indulge me in noting the following? So insert new clause 14—

Mr. Al-Rawi: One second, Attorney General. Let me just put for the first part of the question.

New clause 14 read a first time.

Question proposed: That new clause 14 be read a second time.

Mr. Al-Rawi: So that is the wording I wanted to correct, Madam Chair.

Madam Chairman: Attorney General.

Mr. Al-Rawi: Thank you, Madam Chair. Just so that the wording is correct for the benefit of the records, instead of the word “in” at the top where the chapeau where it says “In section 10A” we should start off instead with:

“Insert after clause 13 the following new clause 14.”

I repeat:

“Insert after clause 13 the following new clause 14.”

If you would kindly delete the word “In”, start with a capital S:

“Section 10A of the Act is now amended—”

In the paragraph here, it would capital A without brackets. So we will scratch (A) “is amended”. Right? A would go without brackets. The words would be:

In paragraph (a), insert the word “by” and instead of “delete” put “deleting”.

So it would be: In paragraph (a), by deleting the words and it continues as written, “infinite duration”; and instead of the word “substitute” it should be “and substituting the words six months and...” Then what is described as (b)—and forgive me, Madam Chair, the first one where there was an (a) it should be a Roman (i). Sorry it should be an (a) in brackets, a common (a) in brackets. And where there is a capital (B) in brackets, it should be a common (b) in brackets. Okay? So, Madam Chair, because the A and B is a subset of capital A right— So A, A in paragraph (a) by deleting; and then (b) in brackets would be a common b. In paragraph (b) insert the word “by” before the word “delete”. Change the word “delete” to “deleting” instead. So it would be in paragraph B by deleting the words “six months” and “substituting the words “indefinite duration”. So not “substitute” but “substituting”. In what is (C) in brackets, if you could kindly strike that and just put a big B in instead. So big B will read as is written there:

“Renumber clauses 14 through 19 as 15 through 20.”

And that would be it. I apologize for not having the correct version before you.

Madam Chairman: If—yes, Sen. Vieira, I invite you to make your comment while we sort out some issues here.

Sen. Vieira: I am just looking at the draft amendments that were circulated. I am seeing “infinite duration”. It should be “indefinite duration”.

Mr. Al-Rawi: Thank you. That is correct. Thank you. The words “infinite” as they occur in two places in that circulated amendment in the A and B, it should be “indefinite”. And, Madam Chair, just for the benefit of the rationale, if it is convenient, may I?

Madam Chairman: Yes.

Mr. Al-Rawi: So, Madam Chair, because we repealed section 3 and section 4 and reworded them preserving the old law that there is “indefinite duration” and there is “six-month duration”, but because we put what was once 3 as 4 and what was once 4 as 3, we had a consequential amendment to tidy up the Act as drafted and, therefore, this amendment is just to take care of what we have already agreed to at clauses 3 and 4, being new sections 3 and 4 sorry.

Sen. Mark: Madam Chair, may I ask my honourable friend, the Foreign and Caricom Affairs Minister? Minister, could you explain to this committee what is the rationale that St. Kitts and Nevis, and Antigua and Barbuda, used to opt out of this arrangement? You have any idea what was the arrangement? Why did not those two countries or territories join this arrangement? You have any idea?

Sen. Dr. Browne: What I can tell you, Sen. Mark, is that various countries have made their decisions in terms of moving forward with the free movement regime at different points in time. I cannot predict the future in terms of the future decisions with the two jurisdictions that you referred to. What I can say, and I have made the point before, is that the vast majority of Caricom has moved forward, including

Trinidad and Tobago.

6.35 p.m.

Mr. Al-Rawi: Madam Chair, I can further amplify as it relates to Antigua and Barbuda, they reserved on the basis of a socio-economic consideration which dated back decades so they have traditionally long before this particular position, they have stayed out of it as a result of which the reciprocity to them has been denied in many senses. So they have traditionally and for decades kept out of it. At the meeting of the Caricom Heads and the intersessional committees and at the LEC committee, the Legal Affairs Committee, they have advanced the enhanced cooperation and that is now the predominant issue because Prime Minister Mottley, Prime Minister of Jamaica, Prime Minister Rowley and several others have all agreed that the enhanced cooperation and the move to perfecting CSME is a priority for the region.

Sen. Mark: [*Inaudible*]*—the “coalition of the willing”?*

Mr. Al-Rawi: Is that what?

Sen. Mark: The “coalition of the willing”. Madam Chair, may I just ask through you to my colleague, the hon. Minister of Foreign and Caricom Affairs, whether he is aware that the Caribbean Court of Justice has ruled in favour of both Antigua and Barbuda and St. Kitts and Nevis opting out of this arrangement that we are now embracing? Do you know there is a legal opinion to that effect by the CCJ?

Sen. Dr. Browne: Senator, how does that have any bearing on the amendment?

Sen. Mark: No, I am just asking you because the AG is telling me something else.

Madam Chairman: No, Members.

Sen. Dr. Browne: The AG has said nothing different to what you have said.

Mr. Al-Rawi: Madam Chair, for the record please because these are dangerous things recorded on *Hansard*. Merely citing a decision of the CCJ is not enough.

The ratio of the decision in the context of the claim must be considered and therefore, I must caution that I accept nothing of what Sen. Mark is saying as disproving anything, or leading towards any version of inconsistency as alleged by him.

Sen. Mark: [*Inaudible*]

Madam Chairman: Well, how about you all accept that I am moving on to now put the new clause 14. So hon. Senators, the question is that new clause 14 be amended as follows. Attorney General, I will need you to just—yeah. Be amended as follows:

A. Insert after clause 13 the following new clause 14:

Section 10A of the Act is now amended—

- (a) in paragraph (a) by deleting the words “indefinite duration” and substituting the words “six months”; and
- (b) in paragraph (b) by deleting the words “six months” and substituting the words “indefinite duration”.

B. By renumbering clauses 14 through 19 as 15 through 20.

Sen. Dr. Browne: Just to amend the phrase “is now amended”. So let us remove the word “now” please; “is amended”.

Madam Chairman: So just for the record, I am going to embark on this again. Okay, so new clause 14, that this is the proposed amendment:

A. Insert after clause 13 the following new clause 14:

Section 10A of the Act is amended—

- (a) in paragraph (a) by deleting the words “indefinite duration” and substituting the words “six months”; and
- (b) in paragraph (b) by deleting the words “six months” and substituting the words “indefinite duration”.

B. By renumbering clauses 14 through 19 as 15 through 20.

Mr. Al-Rawi: That is it.

Question put and agreed to.

Question proposed: That the new clause 14, as amended, be added to the Bill.

Question put and agreed to.

New clause 14, as amended, added to the Bill.

Sen. Mark: Madam Chair, well, first of all, I wanted to ask you whether you will allow me to make available to our learned Attorney General a summary of the opinion from the Caribbean Court of Justice on this matter.

Madam Chairman: So, Sen. Mark, you are free to provide the Attorney General with any information that you think relevant and I am now free to now put to the Committee the following.

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

Senate resumed.

Sen. The Hon. Dr. A. Browne: Madam President, I wish to report that the Immigration (Caribbean Community Skilled Nationals) (Amdt.) Bill, 2022, was considered in Committee of the whole and approved with amendments. I now beg to move that the Senate agree with the Committee's report.

Question put: That the Bill be reported, with amendment.

Sen. Mark: Division.

The Senate divided: Ayes 23 Noes 7

AYES

Rambharat, Hon. C.

Gopee-Scoon, Hon. P.

Sinanan, Hon. R.

Hosein, Hon. K.

West, Hon. A.

Browne, Hon. Dr. A.

Mitchell, Hon. R.

de Freitas, N.

Cox, Hon. D.

Singh, Hon. A.

Sagransingh-Sooklal, Hon. R.

Bacchus, Hon. H.

Lezama-Lee Sing, Mrs. L.

Bethelmy, Ms. Y.

Ibrahim, Dr. M.

Richards, P.

Vieira, A.

Deyalsingh, Dr. V.

Deonarine, Ms. A.

Seepersad, Ms. C.

Teemal, D.

Dillon-Remy, Dr. M.

Welch, E.

NOES

Mark, W.

John, Ms. J.

Lutchmedial, Ms. J.

Nakhid, D.

Lyder, D.

Roberts, A.

Thompson-Ahye, Mrs. H.

Question agreed to.

Bill reported, with amendment.

Question put: That the Bill be now read a third time.

Sen. Mark: Division.

The Senate divided: Ayes 23 Noes 7

AYES

Rambharat, Hon. C.

Gopee-Scoon, Hon. P.

Sinanan, Hon. R.

Hosein, Hon. K.

West, Hon. A.

Browne, Hon. Dr. A.

Mitchell, Hon. R.

Cox, Hon. D.

de Freitas, N.

Singh, Hon. A.

Sagramsingh-Sooklal, Hon. R.

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Lezama-Lee Sing, Mrs. L.

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Seepersad, Ms. C.

Teemal, D.

Dillon-Remy, Dr. M.

Welch, E.

NOES

Mark, W.

John, Ms. J.

Lutchmedial, Ms. J.

Nakhid, D.

Lyder, D.

Roberts, A.

Thompson-Ahye, Mrs. H.

Question agreed to.

Bill accordingly read the third time and passed.

ADJOURNMENT

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Thank you, Madam President. I beg to move that this House do now adjourn to Tuesday, March 22, 2022, at 1.30 p.m. That is Private Members' Day and I understand that it is the intention to proceed with Motion No. 3 filed by Sen. Deonarine. Thank you.

Madam President: Hon. Senators, before I put the question on the adjournment, leave has been granted for two matters to be raised. Sen. Dillon-Remy.

Sen. Mark: "AG, yuh gone? AG, yuh gone?"

Hon. Al-Rawi: Nah— [*Inaudible*]

Madam President: Sen. Mark.

Sen. Mark: [*Inaudible*]—I want him to stay.

Madam President: Sen. Mark.

Sen. Mark: Sorry, Madam President.

Madam President: I invite you to leave, you can go outside and have a lovely conversation with the Attorney General. Sen. Dillon-Remy.

Caribbean Airlines Limited

(Daily Flights between Trinidad and Tobago)

Sen. Dr. Maria Dillon-Remy: Madam President, I thank you for the opportunity to raise this matter in the Senate today, the need for Caribbean Airline to increase the number of daily flights between Trinidad and Tobago to support the domestic tourism product of Tobago.

According to the hon. Prime Minister Dr. Keith Christopher Rowley, Trinidad and Tobago is in the stage where we are learning to live with the SARS COV-2 virus. This has meant that things are coming back to a state of normalcy at a more rapid pace than before. Trinidad recently experienced a Taste of Carnival to allow those artistes and persons in the creative sector giving them an opportunity to express themselves and get much-needed income. Tobago's economy is dependent on tourism, its prime business activity. Our competitors in the Caribbean, all the other islands, are well on their way to recovery and I understand from reliable sources that in some islands, the hotel occupancy is up to 70 to 80 per cent.

Madam President, I would like the Caribbean Airlines to reconsider the numbers of flights to Tobago and the timing of the flights, especially the latest flight out of Piarco. I would also like them to publish the schedule of flights to Tobago at least three months in advance.

Since January to March 10, 2022, there have been eight flights daily

between Trinidad and Tobago. Eight from Trinidad and eight from Tobago, that is 16 flights through both sides. Information obtained from the Airports Authority that between January, February and March so far, it shows an average of about 1,000 passengers per day, both ways with an occupancy approximately 93 per cent. This sounds a lot but it is not enough.

Trinidadians are seeking to make bookings right now to come to Tobago for Easter which is just over four weeks away and there are no flights available to come to this prime destination Tobago at Easter. In fact, I had a conversation with a hotelier on Sunday and he told me of a family that had made a booking for one of the hotels in Tobago but because of the lack of flights and lack of space on the ferry, they cancelled the booking and they have decided to go to Grenada instead. I have had friends reach out to me asking, "Please, see what you can do for me". "I want to come to Tobago for Easter and I cannot get there." Madam President, this lack of availability of flights has been occurring for some time now, particularly on weekends.

The other point I wish to make is that the last flight from Piarco leaves at 8.30 p.m. and there are many international flights getting into Trinidad. They are coming from Europe, we have KLM coming in out of Amsterdam. They are coming from North America. They are coming from the Caribbean and other destinations and these flights come and the passengers cannot get to Tobago because the last flight out to Tobago is at 8.30 p.m.

In viewing the Caribbean Airlines website, I saw that the airline recently launched a campaign "REset Expectations" which is an overarching theme that underpins everything that is done at Caribbean Airlines to reinforce the authenticity of the Caribbean brand. Madam President, that is great. However, this "REset Expectations" did not seem to include the domestic route, given the fact

that what happens in Tobago in terms of airlifts is totally dependent on Caribbean Airlines now, because that is the only flight that is between Trinidad and Tobago, bringing passengers between Trinidad and Tobago.

Some of the areas that were listed on the website were on February 11th:

CAL is launching its Summer Schedule open for sale.

So you can book for the summer to go internationally but you cannot get a booking to Tobago for Easter. On February 22nd on the website:

CAL and Qatar Airways exploring possibilities for partnership.

Very good initiative. On February 22nd again:

Scheduled flights between Trinidad and Havana and open for sale.

On April the 5th:

Resumption of flights to Curacao twice weekly.

All excellent initiatives.

But while this is going on, approximately six months ago, the Tobago Tourism Agency assured hoteliers that after discussions with Caribbean Airlines, they are looking forward to one, the recommencement of weekly flights from New York. We know at one point in time, the New York flight, there was a flight on Sundays from New York to Tobago, direct flight. They were also looking forward to twice weekly flights from Barbados. Apparently, this model of a twin destination marketing between Barbados and Tobago was tried before for international flights and that was successful, and they had discussed it and apparently they were looking forward to that. They were also looking forward to once-weekly flights from Toronto. To this date, these promises have not been met and no one knows if and when they would be executed.

The Hotel and Tourism Association has indicated that when they enquired of CAL, their agent said that ANR Robinson airport is not open late enough and they

have not been given permission to add more flights. I do not know where the permission is going to come from. Is it you, Minister of Tourism or is it the Minister of Finance? Whoever has to give the okay for the additional flights to Tobago, Tobago is asking for more consideration for their needs. Tobago wants a reset. A reset of the expectations for the airlifts, a reset that would indicate that CAL would play an integral role in the rebuilding of the tourism product in Tobago to reenergize the economy and bring much-needed employment and also for tourists coming in, foreign exchange to Trinidad and Tobago.

Tobago should not be seen as an add-on, as a nuisance; a route that loses money for the company and therefore should not be given preference. That is an old story that has been going on for too long and I know that before the COVID, we were having about 20 flights between Trinidad and Tobago and that will not happen immediately but I am suggesting that that needs to change. The numbers need to change. Caribbean Airlines is a national airline and the only airline currently flying between Trinidad and Tobago and it is supported by public purse and my understanding is that Caribbean Airlines needs to take up a more robust role in developing the tourism product, particularly as what is happening now post-COVID.

Madam President, the schedules need to be posted long enough so that persons can plan. I understand there were additional flights on the weekend but I am not too sure who knew about those flights before they were actually put on, certainly not the hoteliers. They also need to ensure that this rebuilding the confidence in the tourism product that Caribbean Airlines has an integral part to play in that. We cannot wait for the opening of a new airport that we talk about right now. The service has to be planned for from now.

In summary, Madam President, I would like Caribbean Airlines to

reconsider the number of flights and timing, especially the latest flights out of Piarco. I would like also that they publish the schedules in advance monthly and that they would reset and give Tobago some more importance than it is being given right now, given that we must diversify the economy and we should start right now in this post-COVID period and continue into the future.

Madam President, I thank you.

Hon. Senators: [*Desk thumping*]

The Minister of Tourism, Culture and the Arts (Sen. The Hon. Randall Mitchell): Thank you very much, Madam President, and allow me to thank the hon. Senator for giving me the opportunity on behalf of the Ministry of Finance and of course, on behalf of the Ministry of Tourism to shed some light with respect to the air bridge and the availability of travel.

I want to also acknowledge the hon. Senator's mention of the Taste of Carnival which I must say was a success and contrary to all the naysayers and all the doomsday predictors on the Opposition side, we are 14 days post the last day of Carnival, Carnival Tuesday and the infections have not spiked. And I want to congratulate the NCC, all the Carnival stakeholders for ensuring that the Taste of Carnival was successful and was also safe, Madam President.

Hon. Senators: [*Desk thumping*]

Sen. The Hon. R. Mitchell: Madam President, but in response to the Senator, I want to immediately respond and to craft my argument by suggesting to the hon. Senator that there is no problem with the supply of seats available on either the air bridge or the sea bridge and consequently, there is no need at this time to increase the number of seats on the air bridge or even on the sea bridge, because, Madam President, contrary to what the hoteliers would say, the data presents a different picture. So let us go through the data and let me paint it overall for you, hon.

Senator, through you, Madam President.

Between September 2021 and February 2022, there were 7,764 excess seats on the air bridge for that period. So let us just take the Port of Spain to Tobago route. In September, there were 624 excess seats. In October 2021, 1,525 excess seats. November 2021, 2,295 excess seats. December 2021, 1,050 excess seats. In January 2022, 1,935 excess seats. In February 2022, 335 excess seats. So in the period, Madam President, the total amount of seats provided on the air bridge was 89,460 seats, the number of passengers transported, 81,696. So during the period, 7,764 excess seats, but let us go forward and let us look forward to the months of March, April and May 2022.

The unsold seats as at March 15, 2022, for those three months stand at 49,441 and perhaps it is outside the scope of this debate but it is important to note, Madam President, on the sea bridge, the sea bridge is operated now by two state-of-the-art ferries, the *APT James* and the *Buccoo Reef* and they carry 1,000 passengers each. There are two sailings each way for a two-and-a-half-hour journey. The excess capacity, as I am advised by the Minister of Works and Transport, is approximately 50 per cent so that translates to, on average, there are 500 seats going to Tobago or coming back in terms of excess capacity.

So, Madam President, Caribbean Airlines, as far as I am concerned and as far as I can respectfully submit, is doing quite a good job in keeping satisfactory and sufficient supply available with those eight return flights per day, notwithstanding, Madam President, that each seat on each of those flights is a subsidized seat to the amount of \$300 but of course now, with the escalation in fuel prices, it is greater.

7.05 p.m.

So, Caribbean Airlines, in doing its demand analysis, is ensuring that there is

a balance with respect to its subsidy. We all know Caribbean Airlines was one of the hardest financially-hit state enterprises as a consequence of the pandemic but they are doing a very good job with respect to managing the subsidy but, of course, maintaining the supply on the air bridge with the eight flights per day.

With respect to the hours of operation, yes, it is correct, hon. Senator, the hours of operation are at the ANR Robinson International Airport, between 6.00 a.m. and 10.00 a.m. It is a matter for the Minister of Works and Transport. The Minister of Works and Transport has heard your suggestion and I also will be talking with him, in terms of increasing the hours of operation so that we can get more flights into.

But it brings me, Madam President, to what I believe the true issue is, and the hoteliers will not tell you that. The hoteliers will tell you lots of things and may blame lots of issues. But the capacity on the air bridge is not one of those issues. As I have discussed with the THA and with the Tobago Tourism Agency on occasions, if there is excess capacity on the air bridge and on the sea bridge and there still is an issue of excess capacity, in terms of the domestic tourism product, then the issue is one of marketing. The issue is one of advertising. The issue is one of selling. The issue is one of packaging.

If Dominica can do it, if Grenada can do it, if St. Lucia can do it, and by do it I mean come to Trinidad, set up stations at our local malls, et cetera, and market to Trinidadians, their destinations, why can Tobago not do it? And we have discussed this as recently as with the new THA and we, at the Ministry of Tourism, as well as Tourism Trinidad, we have undertaken to assist in ensuring that for the domestic market, we can assist in your Visit Tobago campaign. We can assist in packaging the product, in advertising it, et cetera. We can do that. But I believe that that is the issue. And it is not just with the Tobago Tourism Agency. The

hoteliers, the tour operators, they as well, they have an interest in also marketing their product, whether it is online—because you reach persons more directly online—or you go on a road show and you come here and you ensure that there is a campaign, a successful one, to get persons in Trinidad coming across.

So, Madam President, in conclusion, Tobago is absolutely beautiful. I think Tobago is more beautiful than the Grenada, the Barbados and other destinations. It is absolutely beautiful. They have beautiful beaches, beautiful attractions and beautiful people. But that has to be communicated and it has to be communicated through a marketing campaign. With those few words, Madam President, I thank you.

Hon. Senators: [*Desk thumping*]

Madam President: Sen. Mark.

Islandwide Blackout Investigation

(Government's failure to include the RIC)

Sen. Wade Mark: Thank you, Madam President. Madam President, I wish to address an issue dealing with what the Motion titled is: the failure of the Government to provide full access to the Regulated Industries Commission's investigation into events leading to the February 2022 islandwide blackout in Trinidad.

Madam President, as you would recall, on Wednesday, February 16, 2022, Trinidad experienced an unprecedented nationwide blackout or power outage, lasting for between 10 to 12 hours. The role of the Regulated Industries Commission assumes critical importance in this regard.

As you are aware, Madam President, the RIC is the regulator of all utility companies in Trinidad and Tobago, including T&TEC and WASA. The Regulated Industries Commission is a statutory body established under the Regulated

Industries Commission Act, No. 26 of 1998, and came into effect on June 01, 2000.

The RIC's inaugural board was appointed in April of 2001. The RIC succeeded, Madam President, the Public Utilities Commission and is a consumer-oriented entity with strong regulatory powers and responsibilities. The RIC has been established to ensure that good quality and efficient utility services are provided at a fair and reasonable cost to the population of Trinidad and Tobago. Madam President, the service providers falling under the purview of the RIC are the Water and Sewerage Authority, the Trinidad and Tobago Electricity Commission, the Power Generation Company of Trinidad and Tobago, Trinity Power Limited, and among the statutory duties of the RIC are:

1. Prescribing standards for services and monitoring compliance of those standards;
2. Carrying out studies of efficiency and economy of operation and of performance; and
3. Investigating complaints by consumers of their failure to obtain redress from service providers.

Madam President, one would assume that the RIC, as a creature of statute and independently-selected Commissioners, would have automatically been triggered by the national blackout on Wednesday, the 20th of February, 2022. Madam President, this is in fact the correct thing to have done. But let me remind you, Madam President, of a few critical issues. An investigating committee was hastily set up, in effect culling the statutory responsibility of the regulator, the RIC that is, from proceeding with an independent investigation. No terms of reference, no timelines, just three names thrown out to the public as an attempt to hoodwink the population into thinking something was being done, classic PNM "duck and run" tactics.

Madam President, this so-called independent committee seems to be another attempt to hoodwink the population into believing something is being done. No names called but two-thirds of the members are, or were in the past, top political appointees to boards, including T&TEC, NIDCO and UTT. These are political appointees to this so-called independent committee.

Madam President, what is also critical is ascertaining that in this investigation, the power generation companies, T&TEC and the downstream natural gas consumers will need to be interviewed and interrogated. Are we assured that there are more than arm's-length relationships between members of this committee? For example, is anyone on this committee related to senior management at a natural—

Madam President: Sen. Mark, whenever we are dealing with these matters, I give a lot of leeway. But you have moved very far from what is the matter that is before us. I would ask you to get back to it, please.

Sen. W. Mark: Madam President, I can assure you that the question that has been posed, and you have approved, is the need for the Government to explain why they bypassed the Regulated Industries Commission? If you look at my—

Madam President: Sen. Mark, if it is anyone who would know what is before— and I will read it out:

The failure of the Government to provide full access to the Regulated Industries Commission's investigation into the events leading to the February 2022 islandwide blackout in Trinidad.

That is what was approved. I have allowed you a lot of leeway but you are going very, very far from this, and I will ask you, please, to come back to it.

Sen. W. Mark: Madam President, I would want to say, simply, the Government of Trinidad and Tobago ought to have provided full access to the RIC's investigation

into events leading to this blackout. And I am seeking to get from the Government why that particular independent body was not provided with the access required to conduct an independent investigation into this matter whereby possible breaches that would have occurred could have been generated in their findings and their recommendations.

So, we are saying, Madam President, in the interest of energy justice from what has occurred, it is incumbent for the Government to tell this Senate why it chose this independent committee and not allow this RIC, which is an independent statutory body, to investigate and have access to the investigation required surrounding this event that took place, and that the Government should have empowered the RIC, as the statutory body which is duty-bound, under the law, to conduct an investigation without let or hindrance.

And, therefore, we are asking the Government to explain why this very important commission, under statutory law, was not given the power—and not given the power rather, and not provided access, as I said, full access to conduct, Madam President, an independent investigation into the events leading to the February 2022 islandwide—

Madam President: Sen. Mark. Leader of Government Business.

Hon. Senators: [*Desk thumping*]

The Minister of Agriculture, Land and Fisheries (Sen. The Hon Clarence Rambharat): Thank you, Madam President. Madam President, I believe that Sen. Mark suffered a blackout right there. And for 10 minutes, we have had a blackout of relevance and it seemed to be the order of the day today.

Madam President, I could have easily left it up to you to respond because what Sen. Mark has spoken about has absolutely nothing to do with the Motion and what the Motion asks about has nothing to do with the RIC legislation. The fact is,

in the normal manner, Sen. Mark wishes to attack the composition of the investigation committee, but does not wish to put a Motion to that effect on the business of the Senate. So, he has used this frivolous, misconceived, misrepresented, misplaced Motion to attack the investigation. You are entitled, Sen. Mark, to attack or question the composition of the committee but do it in the way it should be done. This is an abuse of the Standing Order and it is an abuse of the time of the Senate.

Because, as you rightly said—and that might have been the only thing you said correctly—that there is an RIC Act, and section 6 of the Act contains the powers of the RIC. And absolutely nowhere in section 6 would you find an investigative power of the RIC into the cause or the root cause or matters relating to the cause of a national blackout. It is nowhere in the legislation. Beyond section 6, it is nowhere.

The RIC is established to advise the Minister on particular matters relating to licences, to administer the licence programme, to examine rates and billing and financial performance to ensure that an investor obtains a fair return on their investment in the utilities, and to monitor and conduct checks relating to service standards. Now, I would say that the issue of service standards would arise at some point in relation to this matter. But it is no way connected to the work of the investigation committee. It is the investigation committee that will examine, on behalf of the people of Trinidad and Tobago, the causes and establish what are the root causes.

So, the Motion is an absolute failure. Because the RIC is not even asking for the opportunity to investigate the root cause. The RIC is not even complaining about the lack of access. The RIC is not even interested in doing anything, other than what they are supposed to do in relation to the Act.

And if it is that you say that the national blackout—I am helping you here—is a complaint—people are complaining about it, well, section 53 deals with complaints and it is in respect of rates, billing and the standard of service, and it has nothing to do with a root cause analysis into the national blackout.

Madam President, as I said, it is a blackout of relevance. It is a failure. It is an abuse of the Standing Orders. It is an abuse of the Senate's time, and I apologize for having to even stretch it out. But I believe that the Government's response must be on the record. Thank you very much.

Hon. Senators: [*Desk thumping*]

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 7.24 p.m.