

HOUSE OF REPRESENTATIVES*Friday, July 02, 2021*

The House met at 1.30 p.m.

PRAYERS[MADAM SPEAKER *in the Chair*]**PAPERS LAID**

1. Waste Management Rules, 2021. [*The Minister of Planning and Development (Hon. Camille Robinson-Regis)*]
2. Administrative Report of the Trinidad and Tobago National Schools Dietary Services Limited (NSDSL) for the year 2010/2011. [*Hon. C. Robinson-Regis*]
3. Administrative Report of the Trinidad and Tobago National Schools Dietary Services Limited (NSDSL) for the year 2011/2012. [*Hon. C. Robinson-Regis*]
4. Administrative Report of the Trinidad and Tobago National Schools Dietary Services Limited (NSDSL) for the year 2012/2013. [*Hon. C. Robinson-Regis*]
5. Administrative Report of the Trinidad and Tobago National Schools Dietary Services Limited (NSDSL) for the year 2013/2014. [*Hon. C. Robinson-Regis*]
6. Administrative Report of the Trinidad and Tobago National Schools Dietary Services Limited (NSDSL) for the year 2014/2015. [*Hon. C. Robinson-Regis*]
7. Administrative Report of the Trinidad and Tobago National Schools Dietary Services Limited (NSDSL) for the year 2015/2016. [*Hon. C. Robinson-Regis*]

UNREVISED

8. Family Proceedings (Amendment) Rules, 2021. [*The Attorney General and Minister of Legal Affairs (Hon. Faris Al-Rawi)*]
9. Public Procurement and Disposal of Public Property (Challenge Proceedings) Regulations, 2021. [*The Minister of Finance (Hon. Colm Imbert)*]
10. Public Procurement and Disposal of Public Property (Ineligibility Proceedings) Regulations, 2021. [*Hon. C. Imbert*]
11. Public Procurement and Disposal of Public Property (Miscellaneous) Regulations, 2021. [*Hon. C. Imbert*]
12. Public Procurement and Disposal of Public Property (Participation in Procurement) Regulations, 2021. [*Hon. C. Imbert*]
13. Public Procurement and Disposal of Public Property (Pre-Qualification and Pre-Selection) Regulations, 2021. [*Hon. C. Imbert*]
14. Public Procurement and Disposal of Public Property (Procurement Evaluation) Regulations, 2021. [*Hon. C. Imbert*]
15. Public Procurement and Disposal of Public Property (Procurement Methods and Procedures) Regulations, 2021. [*Hon. C. Imbert*]
16. Public Procurement and Disposal of Public Property (Procurement of Consultants) Regulations, 2021. [*Hon. C. Imbert*]
17. Public Procurement and Disposal of Public Property (Procurement Records) Regulations, 2021. [*Hon. C. Imbert*]
18. Public Procurement and Disposal of Public Property (Retention and Disposal) Regulations, 2021. [*Hon. C. Imbert*]

Public Procurement and Disposal of Public Property Regulations, 2021

The Minister of Finance (Hon. Colm Imbert): Madam Speaker, these regulations are made under the Public Procurement and Disposal of Public

Property Act. [*Desk thumping*] They are subject to affirmative resolution of the Parliament and so they will come into effect only when approved by both Houses. The Government proposes to debate these regulations later in the year. Meanwhile, they will be posted on the Parliament's website from today for public information. All interested persons are invited to download copies of the regulations and should they so desire, submit comments to the following email address, parl101@tpparliament.org. Thank you. [*Desk thumping*]

Mr. Indarsingh: Madam Speaker, just on a point of clarification in terms of the protocols that have been established. When I look at the Government numbers, I think it exceeds what you have established in this House. [*Crosstalk*]

JOINT SELECT COMMITTEE REPORTS

(Presentation)

Miscellaneous Provisions (Local Government Reform) Bill, 2020

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

Thank you very much, Madam Speaker. Madam Speaker, I have the honour to present:

Report of the Joint Select Committee appointed to consider and report on the Miscellaneous Provisions (Local Government Reform) Bill, 2020, First Session (2020/2021), Twelfth Parliament.

Shipping Bill, 2020

The Minister of Public Utilities (Hon. Marvin Gonzales): Thank you very much, Madam Speaker. Madam Speaker, I have the honour to present the following reports:

Report of the Joint Select Committee appointed to consider and report on the Shipping Bill, 2020, First Session (2020/2021), Twelfth Parliament.

Finance and Legal Affairs
(Ease of Doing Business in Trinidad and Tobago)

First Report of the Joint Select Committee on Finance and Legal Affairs on an inquiry into the Ease of Doing Business in Trinidad and Tobago.

Social Services and Public Administration
(Effects of the Hybrid Learning System on Student Performance)

Mr. Esmond Forde (*Tunapuna*): Madam Speaker, I have the honour to present the following report:

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.

URGENT QUESTIONS

National Insurance System
(National Consultations on)

Mr. Rudranath Indarsingh (*Couva South*): Thank you very much, Madam Speaker. Question No. 1 to the Minister of Finance: Given the Government's commitment to embark on a series of national consultations on the future of the National Insurance System, could the Minister inform this House when these will begin as well as the targeted audiences projected to be captured?

Madam Speaker: Minister of Finance.

The Minister of Finance (Hon. Colm Imbert): Thank you very much, Madam Speaker. As is already in the public domain, as I am sure the Member for Couva South is well aware, I have indicated that within the next two months, consultations will begin. The first set of consultations will begin with stakeholders such as employers, representatives, business associations and trade unions. Those are the one-on-one—let us call it bilateral consultations. The second set of

consultations will be national public consultations which will be held in an appropriate venue, or if the regulations do not permit, in a virtual form. Those will take place after the consultations take place with the core stakeholders.

Madam Speaker: Member for Couva South.

Mr. Indarsingh: Thank you very much, Madam Speaker. Minister, are you prepared to take into consideration that these consultations may begin under a period of what we would term a state of emergency and the COVID-19 pandemic, and based on that, the projected timeline to ensure that there is thorough consultation on the sensitive issue?

Madam Speaker: Minister of Finance.

Hon. C. Imbert: Well, Madam Speaker, it would appear that the Member for Couva South is signaling that the Opposition would support an extension of the state of emergency, because if you take two months from now, it takes us beyond the original three months of the state of emergency. So I do not know if the Member thought his question through. And in addition, we have learnt a lot in the last 12 months as a country on how to do consultations in a digital format and we will use the virtual method of consultation and also we will use whatever physical consultations can be done within the Public Health Regulations that may exist within the next two months or so. But I am sure we will be able to sort it out, Madam Speaker.

Madam Speaker: Member for Couva South.

Mr. Indarsingh: Thank you very much, Madam Speaker. And, Minister, could you give a commitment that in terms of the stakeholders that will be engaged in this particular consultation that they will be fully apprised as it relates to copies of the Tenth Actuarial Review of the National Insurance System which was laid in this Parliament in March of 2019?

Madam Speaker: Minister of Finance.

Hon. C. Imbert: Certainly, Madam Speaker, but for the benefit of those who may be listening today, that is already on the National Insurance Board's website, NIBTT. That actuarial report is already there, but certainly I give that commitment.

**European Medicines Agency "COVID Passport"
(Vaccine Exclusion From)**

Mr. Rudranath Indarsingh (*Couva South*): Thank you very much, Madam Speaker. To the Minister of Health: In light of the recent decision of the European Medicines Agency (EMA) to exclude from its "covid passport" the type of vaccines administered in Trinidad and Tobago, could the Minister indicate what steps are being taken to ensure that persons vaccinated with the AstraZeneca or Sinopharm vaccines can travel to the European Union unhindered?

Madam Speaker: Minister of Health.

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very much, Madam Speaker. Madam Speaker, the position and policy of the Government of the Republic of Trinidad and Tobago is twofold; one, that we have always insisted on using WHO-approved vaccines which therefore carries its own stamp of approval; two, any country, any agency that is sovereign is free to make decisions as they see fit. Our position is that we respect the rights of others to make decisions and we stand by our decision to use WHO-approved vaccines. Thank you very much.

Madam Speaker: Member for Oropouche East.

Dr. Moonilal: Thank you very much, Madam Speaker. Minister, noting your response, could the Minister commit to the House whether the Minister will liaise with the Caricom Ministers of Health to find a solution to this problem, given the impact on business, travel and tourism likely to occur in the post-COVID economic recovery period? [*Desk thumping*]

Madam Speaker: Minister of Health.

Hon. T. Deyalsingh: Madam Speaker, I notice the obvious glee of the Opposition who have been trying to sabotage the Government's vaccination programme from day one. [*Desk thumping*] They are pretending that this is a Trinidad and Tobago problem. The facts are this. AstraZeneca and Sinopharm are currently being used in 212 countries around the world. This is not a Trinidad and Tobago problem; it is a global issue. Also, may I quote from a headline in the *Independent* newspaper of Great Britain:

“Millions of Britons given Indian-made AstraZeneca doses ‘could be excluded from EU vaccine passport scheme’”

This is not unique to us. It goes on to say:

“Germany, Spain and others are reportedly willing to accept Indian-made doses of the AZ vaccine”

The point is, the situation is fluid, dynamic and ever-changing and is the subject of policy discussions around the world. Thank you very much, Madam Speaker. [*Desk thumping*]

Madam Speaker: Member for Oropouche East.

Dr. Moonilal: Thank you very much, Madam Speaker. Mr. Minister, in light of your response, we are very clear this is not a problem for Trinidad and Tobago alone. We are not concerned with the English and the German. What are you doing or is it that the Government will allow [*Desk thumping*] the only place in the world we can go for vacation would be Beijing or China? [*Desk thumping*]

Hon. T. Deyalsingh: Madam Speaker, that question drips with sarcasm and racism. [*Desk thumping*]

Ms. Ameen: Madam Speaker. Madam Speaker, 40—[*Crosstalk*]

Mr. Indarsingh: Madam Speaker, 48(6)—[*Crosstalk*]

Madam Speaker: Minister of Health.

Hon. T. Deyalsingh: Madam Speaker, as indicated, this is a global problem where AstraZeneca and Sinopharm are being used in 212 countries, [*Desk thumping*] but the Opposition continues in their tirade against vaccinations pretending that we are the only country in the world with this issue. And the Government of Trinidad and Tobago will do all that it can, all that it can as a sovereign state to advocate for our interest. Thank you very much, Madam Speaker. [*Desk thumping*]

ORAL ANSWER TO QUESTION

Madam Speaker: Leader of the House.

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very much, Madam Speaker. Madam Speaker, there is one question for oral answer and we are asking for a deferral, a two-week deferral on this—a one-week deferral on this, Ma'am. Thank you.

Madam Speaker: So that question 175 has been deferred for one week?

Hon. Robinson-Regis: Yes.

The following question stood on the Order Paper in the name of Mr. Rodney Charles (Naparima):

Gang Membership as of March 2021 (Number of Persons under 18 Years)

175. Could the hon. Minister of National Security indicate how many persons under the age of 18 have been identified by intelligence agencies as being gang members as of March 2021?

Question, by leave, deferred.

Madam Speaker: Attorney General. The Leader of the House.

STATEMENTS BY MINISTER

Suspension of Standing Order 24(3)

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

Thank you very kindly, Madam Speaker. Madam Speaker, notice having been given, I beg to move that Standing Order 24(3) be suspended and that the Attorney General be allowed to make his statement to completion. Thank you, Madam Speaker.

Question put and agreed to.

**Tobago Autonomy Bills
(Misleading Statement by Leader of Opposition)**

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

Thank you, Madam Speaker. Madam Speaker, I have been authorized by the Cabinet to make the following statement.

Madam Speaker, at a press conference the Leader of the Opposition informed the citizens of Trinidad and Tobago that she had in her possession a document which she claimed was a list of amendments before the committee of the whole of this House, presented to the committee of the whole, House of Representatives. Madam Speaker, the Leader of the Opposition went on to tell the citizens of Trinidad and Tobago that the Government had effectively gutted the Tobago autonomy Bills, which were before this House, by removing critically essential clauses of the Bills using its simple majority. Madam Speaker, in fact, I am told that the acting Chief Whip, the Member for Couva South also repeated these statements today on public television. In punctuating her theatrical act of protestation, the Leader of the Opposition then proceeded to tear up the papers that she demonstrated in aid of her statements.

Madam Speaker, the Member cannot deny that she in fact affirmed to the whole country that what she was saying was truthful and a matter of fact within her personal knowledge. And I say also, therefore, that the Member for Couva South today is in the same position, having repeated these statements in Tobago on television this morning. Madam Speaker, as Attorney General and Minister of

Legal Affairs, with responsibility for the drafting of laws and amendments to be brought before this House, I can state, without contradiction, that no amendments mirroring anything purported by the Leader of the Opposition to the nation at her press conference was ever presented to Cabinet, was ever circulated in the Parliament or laid before the committee of the whole and, certainly, no amendments of the type alleged by the Member were in fact raised or discussed in the committee of the House which was televised [*Desk thumping*] live on television and the World Wide Web for all to see and in respect of which there is still a recorded tape.

No list of amendments in committee to cause the type of gutting amendments as alleged by the Leader of the Opposition ever took place, therefore does not exist in the records of the Parliament. I have checked, Madam Speaker, with the Secretariat of this honourable House and the officials of the Parliament have indicated that the Parliament was not in receipt of any such amendments. Let me repeat that, that the Parliament was not in receipt of any such amendments presented for laying by any Member of the Government and circulation in the name of what the Leader of the Opposition referred to, Madam Speaker. It is therefore disconcerting and inexplicable that the Leader of the Opposition, for reasons that I will come to, will seek to wilfully deceive the population and attempt to place in the public domain false impressions of the records of this honourable House.

Madam Speaker, the law of Parliament is to be found in the treatise of Erskine May and establishes that any person who falsifies, alters or misrepresents the records of this House commits the offence of contempt of this House. Madam Speaker, the records of this House will show that subsequent to the Constitution (Amdt.) (Tobago Self-Government) Bill, being laid in this House in 2018 and sent

to a joint select committee, that committee carefully considered and studied the policy behind this Bill which was contained in a document from the Forum of Political Parties in Tobago and received numerous comments and proposals from stakeholders largely resident in Tobago. In studying the Bill, that committee invited submissions from the public as well as focused individuals and groups whose input, members of the committee felt, would be beneficial to their work. That committee, Madam Speaker, held consultations in public in Tobago.

Madam Speaker, when the new committee was appointed in 2020 by this House, in accordance with the procedure set out in the Standing Orders of this House, that committee engaged in clause-by-clause reviews of the Bill and considered the records of this Parliament containing all the submissions and consultations held on the Bill. Madam Speaker, the deliberations of that committee were at all times focused on the mandate assigned to it which was to recommend a legislative formula that would accord self-government in Tobago.

Therefore, Madam Speaker, the process of discussions and consultations on the Bill before this House spanned a period of some three years and took account of centuries-old laws, as well as decades-old materials, reports, papers, submissions, and also involved the people to be most affected by the measures in the proposed law considering the most recent of proposals and draft laws being considered.

In due course, Madam Speaker, the Committee published its first redraft of the legislative proposals which by then comprised two Bills, namely a revised Constitution (Amdt.) Bill, 2020, and a proposed Tobago Island Government Bill. Madam Speaker, the purpose of dividing the original Bill from Tobago was thoroughly explained to this House during the recent debate held on June 29th and June 30th, 2021, and also explained to the stakeholders from Tobago.

Madam Speaker, the records will also reveal that the work of the committee did not end with the redrafts because the committee embarked on a new round of discussions, this time the subject being the redrafted proposals. The committee also issued fresh calls for comments and submissions targeting the whole of Trinidad and Tobago. Those calls, Madam Speaker, resulted in very comprehensive and useful written submissions from a wide cross-section of Trinidad and Tobago interested in the matter.

I say all of this, Madam Speaker, to re-emphasize that every decision related to amendments to the legislative proposals concerning the matter of self-government for the people of Tobago always involved the people of Trinidad and Tobago and especially the people of Tobago.

Madam Speaker, among those consulted were political leaders in Tobago, as well as the average citizen of Tobago and Trinidad who registered an interest in this matter. Madam Speaker, history, and more particularly, the records of this House will confirm that every step was taken to ensure that all citizens were made aware of the Bills and their importance and invited to be involved, should they so desire.

Madam Speaker, as you are aware, following the consultations by the committee on the redrafts, the Members resumed their review of the clauses of the Bill and made substantial amendments based on comments received. Even then, Madam Speaker, the records revealed that the committee held a final meeting with political leaders in Tobago to explain the proposals that will be submitted in its report and invited them to send in amendments, if they so desired, as the legislative process evolved.

Madam Speaker, as it stands now, for the benefit of the public I must emphasize that the Bills before the committee of the whole of this House, and

which are still before the committee of the whole of this House, propose the following for deep entrenchment into the Constitution of the Republic of Trinidad and Tobago, which stands as the supreme law of our beloved country. And these include the following: one, a Legislature for Tobago with lawmaking powers to make law for the peace, order and good government of Tobago over a wide list of areas anchored in section 53 of the Constitution.

Secondly, an Executive Council to manage the affairs of Tobago to the exclusion of the Cabinet of the Republic of Trinidad and Tobago, this being anchored in section 75 of the Constitution.

Thirdly, the inclusion of Tobago representatives in reconfigured Public and Teaching Service Commissions anchored in sections 121 and 124 of the Constitution, just to name a few.

Fourthly, the duty of the President of the Republic of Trinidad and Tobago, representatives to consult with the Tobago Executive Council in the making of key certain decisions affecting Tobago, of course being anchored in section 80 of the Constitution.

Fifthly, the entrenchment or protection of the constitutional reform process to provide Tobago with autonomy anchored in section 54 of the Constitution.

Sixthly, dispute resolution mechanisms and interpretation guidelines to dealing with conflicts of law and emergencies and other matters.

Additionally, key institutions and statutes will be amended to ensure recognition of Tobago and its governing institutions. Fundamentally, Madam Speaker, the Tobago Island Government will have the ability in law to manage funds allocated to Tobago, raised and/or collected by a Tobago Island Government for the exclusive use of Tobago. Madam Speaker, no one outside of Tobago will be able to arbitrarily interfere in the legal authorities of Tobago.

That, Madam Speaker, is what is before a committee of this House and nothing else. Let me repeat that, that, Madam Speaker, the full listing of what I just read is what is before the committee of the whole of this House and nothing else.

Madam Speaker, all these essential elements of self-government for Tobago are in keeping with the aspirations expressed by the good people of Tobago.

The act of the Leader of the Opposition, and I now add the Member for Couva South today, telling the people of Trinidad and Tobago and the world at large that the Government in the committee of the whole of this House gutted the Bills to deal with granting Tobago's hard-fought for and long deliberated upon autonomy and protection is distressing.

Dr. Moonilal: Madam Speaker, on a point of order; Madam Speaker, this is a violation of the Standing Order. This matter is properly before the House. [*Desk thumping*] The Minister is making a political statement about a Bill that is before the House. This is improper. It is a breach of Standing Order on statement. Minister, this is not Government policy or legislative introduction.

Madam Speaker: Please continue.

Hon. F. Al-Rawi: Thank you, Madam Speaker. Madam Speaker, in protecting the sanctity and privilege of this Parliament against contemptuous behaviour, Madam Speaker, [*Desk thumping*] I say that the Member for Siparia is a longstanding Member of Parliament, having entered the House in 1995.

Mr. Indarsingh: Madam Speaker, given the objection that was raised by my colleague from Oropouche East, I am seeking your clarification and guidance.

2.00 p.m.

Madam Speaker: Member, the Member for Oropouche East stood up and made a statement. We all know there is a particular procedure if one is raising an objection based on a Standing Order. Please continue.

Hon. F. Al-Rawi: Madam Speaker, let me repeat. To protect the sanctity of this Parliament, as it has been created in the Constitution, against contemptuous action and in this case the contemptuous action of the Leader of the Opposition and the Member for Couva South. [*Desk thumping*] I repeat: The Member for Siparia is a longstanding Member of Parliament, having entered the House in 1995 and now serving as the constitutionally recognized Leader of the Opposition of the Republic of Trinidad and Tobago. Her statements at the said press conference and, indeed, Couva South's this morning, stand as a contemptuous blot on the Westminster parliamentary—[*Interruption*]

Mr. Hosein: Madam Speaker, on a point of order, Standing Order 71 and 51. These both Bills are before the committee of the whole. As such, the Attorney General should not be anticipating any matters before that committee, Madam Speaker.

Madam Speaker: So, hon. Member, I overrule the objection. The statement is not in essence on the Bills. It is with respect to something that took place in the public domain. Please proceed.

Hon. F. Al-Rawi: Thank you, Madam Speaker.

Mr. Indarsingh: Madam Speaker, I stand on 48(6). The Attorney General is alluding to the Member for Siparia and myself, Couva South, in terms of contemptuous behaviour, and I am trying to see where the Attorney General is heading with this. How can he accuse the Leader of the Opposition and myself—

Madam Speaker: Kindly have a seat. If you are standing on Standing Order 48(6), you make a succinct statement, which you have made; I overrule.

Hon. F. Al-Rawi: Thank you, Madam Speaker.

Madam Speaker, I have already referred to the law by which our Parliament governs itself, and the learning coming from Erskine May, and that it is a contempt

to misrepresent the records of Parliament. Let me say, as I come to an end, that the Leader of the Opposition—

Mr. Hosein: Madam Speaker, on a point of order. Is this a Motion referring anyone to Committee of Privilege? [*Interruption*] Madam Speaker, this cannot by an appropriate method in which the Attorney General is—

Madam Speaker: Member, Member, please have a seat. Please have a seat. The habit is developing for Members to jump up and just speak. If people are raising points of order, I take it they are well familiar with the Standing Orders and the practice, and I expect everyone to abide by the Standing Orders and the practice. One cannot just jump up and speak. If there is a point of order, you identify the point of order. Continue Attorney General.

Mr. Hosein: Madam Speaker, respectfully, I am on Standing Order 92. Is this a motion of privilege that the Attorney General is bringing, or is he making a statement on a Bill before a House?

Madam Speaker: Have a seat please. Have a seat please. You asked if this was a matter of privilege, I think—maybe you came in late, but the item came under “Statements by Ministers”.

Mr. Hosein: Madam Speaker, and that is the clarification that I am seeking.

Madam Speaker: I have given you the clarification, please take your seat. Continue.

Hon. F. Al-Rawi: So as to end properly, Madam Speaker, I wish to repeat: The law of Parliament to be found in treatise of Erskine May establishes that any person who falsifies, alters or misrepresents the records of this House commits the offence of contempt of this House. Madam Speaker, I say that the Government of Trinidad and Tobago and the right-thinking people of this country, are fortified that by a majority our people are able to discern what is decent from what is not, what is

truthful from what is false, and to recognize those elements that seek to divide us one from the other.

I thank you, Madam Speaker. [*Desk thumping*]

Mr. Indarsingh: Madam Speaker.

Madam Speaker: One minute. I saw the Member for Barataria/San Juan. Are you giving way—is he giving way to you, because it is only one question? Couva South.

Mr. Indarsingh: Thank you, Madam Speaker. In relation to Standing Order 24(4), Attorney General, are you telling this House that the amendments were never, and I repeat, never generated from the Office of the Attorney General and the Ministry of Legal Affairs? [*Desk thumping*] Could you clarify that for us please?

Hon. F. Al-Rawi: Madam Speaker, I thank the hon. Member for Couva South for the question. I am saying in clear, crystal terms that the Leader of the Opposition, the Member for Siparia, joined by the Member for Couva South, deliberately falsified the records of the Parliament by making the statements that submissions were made—[*Interruption*]

Madam Speaker: The book is open in front of your hands, the Standing Orders.

Hon. F. Al-Rawi: Madam Speaker, I am saying to answer the question that the Leader of the Opposition, the Member for Siparia, the Member for Couva South, have by their public utterances, in saying that the Government presented amendments at the committee of the whole, and gutted the Tobago autonomy Bill constitutes a falsification which is offensive and contemptuous to the Parliament, it is deliberate, it is untruthful. No such amendments were put to the committee of the whole or to this House, and the Members are in contempt of this Parliament and the truth.

Mr. Hosein: Madam Speaker, on a point of order, Madam Speaker. Since 24—

Madam Speaker: Member, 24 is one question. [*Interruption*]

Mr. Hosein: I just have one question. But—

Madam Speaker: Kindly sit down, please.

[*Member remains standing*]

Kindly sit down please.

Mr. Hosein: Madam Speaker—

Madam Speaker: Member, I have asked you on two occasions to sit down. I am not recognizing you, and if you persist, I now ask you to leave.

Mr. Hosein: Madam Speaker, I am asking a question.

Madam Speaker: I ask you to leave for the rest of the day.

Mr. Hosein: I am an elected Member of the House. I am raising a point of order.

Madam Speaker: Member, Member for Barataria/San Juan. I have ordered that you leave for the rest of the day. Marshal, please.

Hon. Member: No behaviour! [*Crosstalk*]

Mr. Indarsingh: Madam Speaker, I mean, you have ruled that the behaviour from the Members of the Opposition—the Government Bench—

Madam Speaker: Member, again, take your seat. Take your seat please.

Mr. Indarsingh: What is the insulting language from Members of the—you have ruled and we respect that, but the Government Members are using insulting language here.

Madam Speaker: Member for Couva South, I ask you to stand up and withdraw your outburst.

Mr. Indarsingh: I did not hear “yuh” clearly, Madam Speaker.

Madam Speaker: And I am not going to ask you again, all right. I now ask you to leave the Chamber.

Hon. Member: Madam Speaker, are you mindful of the fact that you—

[*Crosstalk*]

Madam Speaker: Excuse me—excuse me please. Take your seat. [*Interruption*]
Attorney General, I believe you have another statement to make?

Hon. F. Al-Rawi: Yes, Madam Speaker.

Madam Speaker: Proceed.

**Office of the Attorney General and Ministry of Legal Affairs
(Expenditure)**

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

Madam Speaker, I have been authorized by the Cabinet to make the following statement relating to the expenditure of the Office of the Attorney General and Ministry of Legal Affairs, for the six-year period September 2015 to June 2021, and with respect to the value for money considerations arising therefrom—

Madam Speaker: Attorney General, there is a point of order.

Mr. Rambally: Madam Speaker, I am grateful. I rise on 47(1)(b), so I am grateful that the AG has given way. Madam Speaker, with your permission I would like to elucidate from the Attorney General whether he will actually answer the question as to whether or not those amendments were generated from the Office of the AG?

Madam Speaker: Member for Chaguanas West, kindly have a seat, thank you. As you are quite familiar with Standing Order 24(4), one question is asked for elucidation, that was done and it was answered. The matter has now gone, we are on another statement.

Hon. F. Al-Rawi: Thank you, Madam Speaker.

Madam Speaker, I begin again. I have been authorized by the Cabinet to make the following statement relating to expenditure by the Office of the Attorney General and Ministry of Legal Affairs, for the near six-year period September 2015 to June 2021, and with respect to value for money considerations arising

therefrom, with particular focus on expenditure for professional fees, including legal fees and forensic accounting fees by the Office of the Attorney General for itself, and for and on behalf of state divisions and enterprises.

Madam Speaker, under General Savings, at the outset the Office of the Attorney General and Ministry of Legal Affairs is able to report that the Government has achieved a savings of some \$2.456 billion in expenditure, by the simple reorganization of three Ministries into two Ministries. As in September 2015, the Office of the Attorney General and Ministry of Legal Affairs was fashioned by the merger of the Ministry of the Attorney General, the former Ministry of Legal Affairs and parts of the former Ministry of Justice.

The Appropriation and Supplementary Appropriation Acts for the 11-year period 2010 to 2021, demonstrates that for the period 2010 to 2015, the three separated Ministries incurred expenditure in the sum of \$4.585 billion, whilst in comparison for the six-year period, 2015 to 2021, the Office of the Attorney General and Ministry of Legal Affairs expended the sum of \$2.129 billion. That is what gives the savings of \$2.456 billion, Madam Speaker, six years as opposed to five.

Madam Speaker, under Summary of Expenditure for external services, in this setting I ask you to note, and specifically with regard to the subset of expenditure for professional fees paid to external attorneys and forensic accountants, the Office of the Attorney General and Ministry of Legal Affairs is now able to confirm that for the five-year period, 2015 to 2020, that the office spent \$371,820,727, in all external professional services, as will be particularized hereunder, as against the sum of 636,224,219.76, in expenditure and liabilities incurred under the previous administration, for the period of five years only, 2010 to 2015.

The Office of the Attorney General and Ministry of Legal Affairs has expended the sum of 38,679,530.16, for external professional services in the current financial year, 2020/2021, bringing the total VAT-inclusive expenditure for the six-year period 2015 to 2021, to \$410,500,257.16.

Madam Speaker, the Office of the Attorney General and Ministry of Legal Affairs asks that it be noted that the payments in the sum of \$410,500,257.16 for the six-year period up to June 2021, includes payments of the sum of \$148,761,266.04, expended solely for and at the direction of the Director of Public Prosecutions. Also, \$121,075,725.77 was spent in the liquidation of the sum of \$141,378,925.54 left by the previous administration.

Furthermore, it also includes the sum paid to foreign attorneys and to other entities involved in providing forensic services to the Government, with the largest single item of expenditure attributed to one entity only, standing in the sum of \$134,295,545.23, paid to the investigating forensic accounting firm of Deloitte & Touche, for one matter only in the six-year period, 2015 to 2021, for foreign work relating to investigations managed exclusively by the Office of the Director of Public Prosecutions.

Accordingly, deducting expenditure attributable to the Office of the DPP, and arrears paid for professional services rendered under the previous administration, the Office of the Attorney General has spent the sum of \$139,663,265.35 for the last six years for the matters particularized below, which include the sum of \$67,441,121.45 paid to 13 professionals, foreign professionals, and \$72,222,143.90 paid to local attorneys and professionals.

In providing transparency in the context of carry-over liabilities, Madam Speaker, the Office of the Attorney General now lays before this House additional documentation relating to professional fees paid to each attorney and to forensic

accountants, for investigations during the 11-year period, May 2021 to June 2021.

Madam Speaker, the Office of the Attorney General has already put into the public domain the names of all attorneys who were retained by the office, for the period 2015 to 2021. The office has also released the total payments collectively expended to them over the period 2010 to 2015, and 2015 to 2021. The Office of the Attorney General now wishes to further supplement this information by laying in this House the amount paid to each external attorney and forensic accountant for the period May 2010 to June 2021.

Madam Speaker: Attorney General.

Dr. Moonilal: Madam Speaker, the Member for Port of Spain North/St. Ann's East is not wearing his mask in the House.

Madam Speaker: Member, while I understand that you are allowed, for necessity I would ask you to keep your mask on. I would ask that you keep your mask on. Thank you, Member for Oropouche East.

Hon. F. Al-Rawi: As I have just indicated, we are laying the expenses for eleven years with the names of every single attorney and professional, including forensic accountants, before this honourable House. Madam Speaker, in laying this 11-year document for this office and the predecessor Ministry, and for and in respect of divisions and enterprises, including the following: the Board of Inland Revenue, the EMBD, the Estate Management and Business Development Company, the Education Facilities Company Limited, service commissions and the Judiciary.

Madam Speaker, the Office of the Attorney General asks that you note that for the reason set out hereunder, the Office of the AG has not yet provided the particulars of every individual matter undertaken, or the individual invoices provided by each external attorney and forensic accountant, but has provided the names and full sums earned by each and every professional in particular form.

The Office of the AG can confirm that for the period 2015 to 2021, approximately 125 attorneys engaged in 1,125 matters. The Office of the Attorney General has been engaged in the digitization and reconciliation of its records and is in the near final stages of this task. Several professionals retained under the previous administration who have outstanding invoices to millions and millions of dollars have not yet sought to recover moneys billed to the Office of the Attorney General or its predecessor. Accordingly, this office reserves the right to provide further information and to factor further revisions upward or downward when this process is completed for all the years under review.

In providing information to this honourable House, it is critical that context is appreciated. In this regard, the Office of the AGLA asks that you note that the office provides legal services to the entire Government of the Republic of Trinidad and Tobago. This includes, but is not limited to: drafting legislation, commencing and defending actions against the Republic, providing legal and other services, including forensic accounting services, providing advice and drafting and vetting contracts on behalf of the State. Also, the office makes use of its in-house attorneys, but in many cases because of the complex and specialized nature of work, external attorneys both local and foreign are retained. This has been a feature of every administration since Independence. However, it must be noted that under this administration, the Office of the AGLA has operated with a vastly diminished staff of senior legal professionals at the Solicitor General's and Chief State Solicitor's Departments, largely on account of several professionals moving to the Bench, and/or retiring, and/or moving to other employment opportunities.

I ask you to note further, Madam Speaker, the AGLA is not only the proper defendant in all suits brought against the State, but all judicial review proceedings are required by law to be served on it. Further, the Office of the AGLA is the

proper claimant in all proceeding commenced on behalf of the State.

I ask you to note in context further that it is material to note that the AGLA provides legal support and pays fees on behalf of several state agencies, including but not limited to, the Board of Inland Revenue, statutory authorities in certain circumstances such as the EFCL and EMBD, the Judiciary, service commissions and for others in respect of professionals appointed and/or retained by those entities and not the Office of the AGLA.

Madam Speaker, having laid the expenditure of the Office of the AGLA, it is incumbent to address the value for money considerations that are relevant herein, as well the extent of disclosure made to this honourable House, as well as the process of continuing disclosure in view of certain issues that must be carefully treated with.

With respect to value for money considerations, it is material to note that quite simply the Office of the AGLA firstly conducts litigation with billions of dollars at stake, in terms of defence and prosecution of claims. Secondly, defends constitutional issues and reviews which are incalculable and, thirdly, develops and defends laws and principles that are rooted in the very equality of every citizen's life in Trinidad and Tobago.

By way of a few examples only, it is worthwhile to note, amongst other things, that the Office of the AGLA firstly has successfully initiated several suits against several entities in civil proceedings, and in defending assessments by the Board of Inland Revenue. And, secondly, has also successfully defended claims and filed counterclaims on behalf of the EFCL and the EMBD.

Madam Speaker, with respect to the expenditure of the 139-odd million in professional fees for the last six years, there has been significant benefit to the income and liability of the Government in the following areas, by way of example.

In respect of the pursuit of matters in relation to the construction of the highway to Point Fortin, the AGLA and a state enterprise secured recovery of approximately \$1 billion in one matter, with a cross claim of approximately \$1.4 billion, whilst defending claims against the State close to quarter billion dollars, in other matters relating to the same project. All of these matters came from events occurring prior to 2015.

In respect of one claim for breach of constitutional rights commenced in 2015, relating to matters prior thereto the State, involving damages of over \$80 million, the AGLA achieved savings of over \$30 million in damages. In respect of one claim for breach of contract against the State, commenced in 2018, relating to matters prior thereto, the Office of the Attorney General, is in the course of mitigating over \$100 million in damages. In respect of five claims for breach of contract against the State, the AGLA is in the course of mitigating over 60 million in damages.

Madam Speaker, in respect of three claims for breach of contract commenced after 2015, relating to matters prior thereto, the State has mitigated, and is in the course of mitigating, over \$220 million in damages. In respect of two claims for breach of contract, commenced after 2015, relating to matters prior thereto the State in unemployment relief matters, the Office of the AGLA is in the course of defending over \$45 million in claims for damages.

Madam Speaker, in respect of matters for the Board of Inland Revenue, the Office of the AGLA has incurred expenditure in the sum of \$18.4 million, for external professionals nominated by the Board of Inland Revenue in 41 separate matters, involving the prosecution of claims for the BIR, which relate to the sum of \$9.27 billion. The issues in these cases have an even greater impact on the tax liability for a number of companies in the oil and gas sector for future years.

Another example, in one case again for the Board of Inland Revenue, an expenditure of legal fees and other fees in the sum of \$10.2 million was incurred to one external professional, which resulted in over TT \$1 billion in revenue collection for the State.

In respect of the EFCL, the Office of the AGLA has incurred expenditure on that entity's behalf in the sum of \$6.3 million for external attorneys and other professionals, to defend ongoing claims at EFCL in the sum of nearly a quarter billion dollars, 240-odd million. However, the value of claims and counter claims filed by EFCL currently before the courts relate to expenditure again close to another quarter billion dollars, some \$222 million.

Madam Speaker, at the EMBD, the Office of the Attorney General has incurred expenditure in the sum of \$7.3 million for external attorneys to defend ongoing claims against EMBD, in the amount of \$122-odd million, and to prosecute claims, counterclaims against certain contractors, in the amount of nearly half a billion dollars, some \$400 million.

The Office of the AGLA wishes to add that the facts relating to the proceedings at the EFCL and the EMBD, all occurred during the period 2010 to 2015. These are white collar matters, which are now engaging the courts, and in respect of serious allegations of fraud and corruption on the record, being the subject of criminal investigation and prosecution.

Madam Speaker, a defining principle of this administration is accountability and transparency in the area of public expenditure. At the same time, the Office of the AG is committed to upholding the laws of Trinidad and Tobago. These laws provide that the provision of certain types of information is subject, in certain considerations and circumstances, to the exemption from disclosure under the Freedom of Information Act.

One such exemption is legal fees which are covered by legal professional privilege. The law jealously guards this principle so as to ensure that legal advice given, including litigation strategy, are exempt from disclosure. Consequently, invoices issued by attorneys in many cases contain information which will create a “reasonable possibility that an assiduous enquirer analysing such information would be able to draw conclusions which violate core principles of legal professional privilege”. In many invoices, for example, Madam Speaker, names of entities and individuals who have undertaken sensitive investigations and identify actual steps that are in some cases not yet known to the targets of advice, are at stake.

The Office of the AGLA has to be mindful in making disclosures of generally exempt privileged information to apply a public interest consideration whether to disclose information whilst protecting the public interest by considering several factors. Some of these factors include: firstly, existing criminal investigations as well as public prosecutions. Given the state of law, the Office of the AGLA cannot act in such a manner that will cause the disclosure of information to adversely affect these matters, or to tip off potential witnesses or persons being investigated, as well as to protect the safety of witnesses.

Secondly, disclosure of sensitive information which will reveal the litigation strategy of the State and which will compromise the relationship with the Financial Investigations Branch of the police and the Financial Investigation Unit, and other counterparts abroad.

Thirdly, disclosure of information which will cause irreparable harm to the bilateral and multinational relations between Trinidad and Tobago and its international partners and hamper crucial investigations into transnational criminal activity.

Fourthly, the disclosure of information which will constitute breaches of our international obligations under conventions and treaties, and affect our ability to exchange information with other international agencies and governments.

Lastly, to protect the safety of security personnel, forensic accountants as well as attorneys who are engaged in security sensitive work, such as applications for Norwich Pharmacal Orders, which are disclosure orders, seizure of property under the Proceeds of Crime Act, Unexplained Wealth Orders and ex parte applications for search warrants.

2.30 p.m.

Madam Speaker, the Office of the AGLA incurs legal and forensic accounting expenditure in respect of several new as well as ongoing investigations. Much of this legal and forensic work is sensitive in nature. The Office of the AGLA must be careful that any information relating to payment of fees in specific matters only to name external professionals and with accompanying information if there is improper disclosure that that may have the potential of affecting investigations that have been completed or which are ongoing or being prosecuted.

Furthermore, it has the potential of affecting fair trial rights which the courts have repeatedly cautioned against. To this end, Madam Speaker, the Office of the AGLA has written to all attorneys asking them whether they consent to their fees being released.

The office has also written to the Director of Public Prosecutions, the Financial Investigations Branch, the Board of Inland Revenue and the Central Authority. The Office of the AGLA is required to do so before it can exercise any judgment in respect of the release of information.

The Office of the AGLA has therefore, Madam Speaker, adopted a bifurcated approach so that it might scrupulously comply with the legal obligations

placed on it under the Laws of Trinidad and Tobago including, importantly, the Freedom of Information Act. Firstly, contrary to the wishes of the vast majority of attorneys, this office has taken a decision to release the information paid to each external professional for the period 2010 to June 2021 in respect of matters in which they have provided services on behalf of the State. For the time being, the Office of the AG has not taken a decision to release the names of each individual matter for reasons provided in this statement. The Office of the AGLA will certainly continue to provide disclosures as matters move out of danger of being sabotaged.

Furthermore, the Office of the AGLA is still in the process of consulting with other state and investigating agencies to whom it has written and from whom it has so far not had input except for the Central Authority. On receipt of this information, this office will take a decision whether it proposes to release further information identifying external professionals, the names of the matters in which they are involved and the specific fees charged for them. This office has however included in the figures provided to this House the total figures charged by each attorney and professional without specifying the individual matters.

This office has not discounted the fact that it may seek guidance from the court as to whether in the circumstances which have been summarized in this statement this information is protected by legal professional privilege. This office wants to ensure that the State does not run afoul of the clear obligations it has regarding fair trial rights as well as legal professional privilege.

Madam Speaker, the Office of the AGLA is thus at present unable to divulge further information regarding the specifics of opinions, litigation strategy and actual invoices since this will provide in many cases a clear indication of the matters which are under consideration for investigation and are being investigated

or are being pursued in courts in civil and criminal proceedings. But we are disclosing every person by name and each sum earned by each individual on an individual basis in one list, Madam Speaker.

Madam Speaker, the Office of the Attorney General is able to identify some investigations which are already in the public domain and to provide a limited and measured amount of information regarding their progress. The Office of the AGLA is mindful on basis of advice it has received that it should not put into the public sphere any additional information. And permit me to give you a few of the matters that I can report on now.

One, collaboration with the Dutch authorities concerning a criminal investigation into suspicions of bribery committed by the Damen Shipyards Group. On March 16, 2015, the Coast Guard of Trinidad and Tobago contracted with the Damen company for the construction of 12 vessels for the sum of \$1.4 billion. In 2016, the agent then sent to Damen 13 invoices on this project amounting to some \$1.77 million. During an audit of Damen in 2015, Ernst & Young discovered discrepancies regarding these foreign agent contracts. This contract was terminated by Damen. There is now an ongoing investigation between the Anti-Corruption Investigations Bureau of the police in Trinidad and the Dutch prosecution agencies which is taking place under our Mutual Legal Assistance in Criminal Matters Act.

Mr. Charles: Could the Minister—

Hon. F. Al-Rawi: I am not finished with my statement.

Mr. Charles—did the Attorney General get permission to exceed the 10 minutes as listed here?

Madam Speaker: Member for Naparima, you may have been outside of the Chamber when a Motion was moved by the Leader of the House and a vote was taken. Maybe you were outside. It was with respect to these statements. Please

proceed.

Hon. F. Al-Rawi: Madam Speaker, I turn to the second case. There is a claim by the Government of Trinidad and Tobago in Florida against several individuals and corporate entities for racketeering, bid-rigging, bribing public officials, wire fraud and money laundering in which there is a claim for damages for close to nearly a quarter of a billion dollars, some \$270 million. This claim was not properly advanced during the previous administration primarily because the then Attorney General provided only sporadic instructions to the attorneys for the State, namely Sequor Law who are disclosed in the statements today. Consequently this claim could not be advanced. This administration has pressed the matter—

Mr. Rambally: I rise on 48(2). It seems as though the Attorney General is delving into matters which may still be something ongoing before the courts, based on what he is referring to.

Madam Speaker: Attorney General, in terms of the—is it 48(2)? Or 48—

Mr. Rambally: Yes. Sub judice please.

Madam Speaker: Okay. So I think, Attorney General, in terms of these matters, if they are—you appreciate that they would be sub judice and should not be—

Hon. F. Al-Rawi: Madam Speaker, I am not speaking about them so as to offend the Standing Orders. I am speaking about them entirely based upon advice to preserve the Standing Orders. So, Madam Speaker, I am comfortable that I am owning what I am saying and carefully so, Madam Speaker.

Madam Speaker: Continue.

Hon. F. Al-Rawi: Madam Speaker, this administration has pressed the matter and is now listed for trial in the United States standing as perhaps the oldest matter in the docket of the US court assigned to hear same.

Madam Speaker, there is an ongoing criminal prosecution of a former

Attorney General and former Senator who were charged with, among other things, conspiracy to corruptly receive financial rewards from an attorney who was retained by the former Attorney General to conduct several matters on behalf of the State. In essence—

Mr. Charles: Madam Speaker—

Hon. F. Al-Rawi:—these criminal prosecutions—

Mr. Charles: I rise on 48(2). I am not a lawyer but reference shall not be made to any matter which is sub judice as provided in Standing Order 49.

Madam Speaker: Yeah. But 48(2) says that but it is developed in 49(2).

Hon. F. Al-Rawi: I understand my friends are a little touchy about these matters, Madam Speaker, so I will just move quickly. Madam Speaker, in this matter of serious charges, the ongoing criminal matter, in essence these criminal prosecutions relate to legal fees kickback scheme in which the accused persons were implicated. There are other such like matters now under investigation in the United Kingdom and elsewhere.

Madam Speaker, I turn to the continuing investigations into Clico, CIB, BATT and CLF in which the taxpayers of this country contributed in excess of \$20 million in bailout support. So far for the period 2012—2021, a sum in excess of \$181 million has been expended to one firm only in the person of Deloitte & Touche for legal and forensic services. To date, there is an outstanding bill yet to be paid of almost \$24 million and, Madam Speaker, the conduct of this investigation in the hands of the police service that I have recused myself from the handling of this particular matter as I served as a member of the board of directors of CIB for a few months, and even though I am not the subject of any investigation and have not been the subject of any mention whatsoever in the Coleman Commission of Enquiry, out of caution I handed the matters and the management

of these matters to the past Ministers in the Attorney General's Office including Ministers Young and Hinds, and now to the current Minister in that Ministry, Mrs. Sagramsingh-Sooklal.

Madam Speaker, there is another investigation under the Proceeds of Crime Act and other laws into what is known as the LIFESport matter. This was revealed, amongst other things, by an audit conducted by the Ministry of Finance which revealed that moneys were expended in circumstances which revealed fraud, theft, breaches of the Proceeds of Crime Act and the involvement of persons who were notoriously involved in criminal gang activity. Again, this is a matter in the hands of the Office of the DPP. At all material times this expenditure was incurred by a programme which was under the portfolio of a previous administration's Ministry of Sport.

Madam Speaker, the Office of the AGLA further mentions one additional matter commonly referred to as "prison-gate" relating to the participation of an attorney who was a former Senator in failing to dispense some \$200,000 to a client following upon a court order and several related matters. Madam Speaker, the former Solicitor General, now a High Court judge, requested that the then Prime Minister in 2014 investigate circumstances and I quote:

That may amount to inter alia breaches of professional ethics by attorneys involved and may also have the effect of perverting the course of justice in litigation against the State.

Madam Speaker, without belabouring the point by providing further examples of some expenditure incurred by the Office of the AGLA and as a consequence of these matters, it must be appreciated that the Office of the AGLA does not have the conduct of these investigations and is not responsible for the initiation of prosecution of them. That is solely within the remit of the investigative

authorities and the Director of Public Prosecutions where applicable. The Office of the AGLA is however required to provide the necessary funding to facilitate these investigations and prosecutions and does so without hesitation or pause.

Madam Speaker, these examples provide a useful insight as to why the AGLA has to be careful to weigh the disclosure of information which touches and concerns legal professional privilege. On the one hand, the Office of the AGLA has to balance the issue of transparency in public expenditure, and on the other hand the disclosure of information that will cause irreparable harm to the State.

Madam Speaker, the Government is committed to the principle that the legal profession must be allowed every opportunity to discharge its responsibilities under the law and that every person is entitled to counsel. However, the impact of a multiplicity of litigation on the same and its consequential impact of the expenditure by the State displays a worrying trend which is worthy of being put into the public domain so that the population can be sensitized as to what is taking place. These include the following.

Firstly, Trinidad and Tobago as a twin island State in close proximity to South America is actively engaged in a fight against collaboration between gangs in South America and criminal gangs in this country. These gangs engage in joint activities dealing with trafficking in persons, particularly women and children, arms and ammunition and large quantities of drugs. More recently, these gangs have taken advantage of the COVID-19 pandemic to organize a thriving trade in the trafficking of persons under pretext that these persons are refugees rather than economic migrants. Persons who engage in this activity are well organized and are able to mobilize safe houses, transport and documentation purportedly issued under the UNHCR, as well as migrant certificates. All of this is well supported by a few attorneys in this country who inundate the courts with repeated applications and

who appear to be in close communication with the persons who are engaged in trafficking.

Secondly, a concerted and sustained effort by a small group of attorneys including by not limited to attorneys who previously held public office, as well as persons who share chambers with them and who individually and collectively have inundated the Ministry of the AGLA and other Ministries with freedom of information requests regarding opinions, invoices and other documentation which are clearly covered by legal professional privilege. In many instances, they are involved in litigation which can benefit from certain privileged disclosures. Furthermore, these requests are usually followed up by constitutional motions and JRs in which the State is required to expend moneys to defend the public interest.

Thirdly, these very same attorneys also use a small group of clients who are in remand or a guardian or next of kin of children who are in the care of the State to litigate matters that are totally unconnected with their care orders. These actions appear on the surface to be innocuous but all have significant legal and financial exposure for the taxpayers.

A previous Attorney General in particular has on occasions initiated litigation to challenge legislation or to the implementation of legislation which were introduced under the administration that he was a part of or which he piloted or supervised in the Parliament. In the case of the children's suite of legislation, the last administration brought the legislation into force in May 2015 without the requisite infrastructure of children residences being in place. That same previous Attorney General promptly on behalf of two minors initiated action against the administration he had recently left and prosecuted several actions on their behalf before several courts all the way to the Privy Council.

Madam Speaker, this proliferation of public law litigation in respect of

matters which in some cases could be easily resolvable by utilizing the Children Court which is ideally suited for resolution of issues is a process designed to extract from the State damages and costs in matters which the last administration was fully responsible.

Furthermore, the Office of the AGLA's external attorneys have expressed to me the concern that some of these litigants might be used as convenient vehicles and do not appreciate the full purport of having their names as claimants in matters. These are usually people of straw against whom an order for cost would yield nothing to the State but a successful application on the minor point would yield a windfall for the attorneys who mine and live in these waters, Madam Speaker. These ventures are done so as to weaponize the courts in what could only be a business venture rather than stated vindication of rights.

Madam Speaker, as I draw to a close, all of these matters, Madam Speaker, have resulted in significant moneys being expended by the State to defend the taxpayer and to ensure that excessive orders for damages and cost are not made against the public purse. The cost of the Office of the AGLA, the cost to that office, the taxpayers in a pandemic for scores of COVID-19 related litigation and in habeas corpus matters stand in the last year alone at close to \$14.6 million for the period March 2020 to present.

The Office of the AGLA wishes to encourage all to join in protecting the rule of law and the process of a fair trial whilst having regard to the sensitivity with which investigations should be undertaken. The Office of the AGLA has a duty to protect the professionals who are involved in sensitive matters especially since many of these matters occurred during a previous administration under the period 2010—2015. Whilst political activism is a feature of our democracy, the State needs to be vigilant to protect against collateral initiatives designed at providing

improper assistance to persons before the court.

In conclusion, Madam Speaker, whilst the Office of the AGLA has through its reorganization and value for money approaches achieved billions of dollars in savings with a focus on safeguarding prosecutions in total claims and the public defence, it wishes to assure this honourable House that it is equally committed to providing disclosures and information in the public interest and shall continue in the exercise of continuous disclosure as stated hereunder.

Madam Speaker, this will be delivered to the Parliament for publication together with two other documents, the first being a summary listing of fees paid for the period October 2010 to September 2015 and second being a summary listing for a six-year period October 2015 to 18 June, 2021. I thank you, Madam Speaker.

Madam Speaker: Member for Naparima.

Mr. Charles: Madam Speaker, I rise on 24(4) to address a question to the hon. Attorney General. Could the Minister state if the list of legal firms and attorneys and fees paid to them include payments to the legal firm of which his wife is a partner?

Hon. F. Al-Rawi: I am very pleased, Madam Speaker, to categorically say, not a black, red, white or fictitious cent has ever been paid to the law firm that my wife is a member of by the Office of the Attorney General and Ministry of Legal Affairs. Not one cent, Madam Speaker. And I wish to thank the hon. Member for allowing me to put an end to a blatant lie—untruth, to a blatant untruth put onto the public record by wicked and nefarious people, Madam Speaker. Thank you.

STANDING ORDER 79(3)

Cannabis Control Bill, 2020

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

UNREVISED

Thank you very much, Madam Speaker. Madam Speaker, in accordance with Standing Order 79(3) I beg to move that the proceedings on the Cannabis Control Bill, 2020, be resumed in the next session at the adoption of the report stage and that consequently the work of the Joint Select Committee established to consider and report on this Bill be saved. Thank you, Madam Speaker.

Question put and agreed to.

Miscellaneous Provisions (Local Government Reform) Bill, 2020

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

Thank you, Madam Speaker. Madam Speaker, in accordance with Standing Order 79(3), I beg to move that proceedings of the Miscellaneous Provisions (Local Government Reform) Bill, 2020, be resumed in the next session at the adoption of the report stage and that consequently the work of the Joint Select Committee established to consider and report on this Bill be saved. Thank you, Madam Speaker.

Question put and agreed to.

Shipping Bill, 2020

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

Thank you very kindly, Madam Speaker. Madam Speaker, in accordance with Standing Order 79(3), I beg to move that—sorry—I beg to move that in the second session of Twelfth Parliament the proceedings on the Shipping Bill, 2020 be resumed. Thank you. Madam Speaker.

Question put and agreed to.

LEAVE OF ABSENCE

Madam Speaker: Hon. Members, I just wish to crave your indulgence to revert to a matter under announcements and it is to read into the record the leave of absence. And, hon. Members, I have received communication from the Mr. David Lee, MP,

Leave of Absence

2021.07.02

Member for Pointe-a-Pierre who has requested leave of absence from today's sitting. The leave which the Member seeks is granted. Thank you.

FINANCE BILL, 2021

Order for second reading read.

The Minister of Finance (Hon. Colm Imbert): [*Desk thumping*] Thank you, Madam Speaker. I beg to move:

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

Before you is the Finance Bill, 2021, aimed at putting in place the remainder of the fiscal measures that were announced in this honourable House on October the 5th, 2020. I would also indicate how we are going to—

Mr. Rambally: Madam Speaker, I am sorry to disturb the Minister but there is one matter that we seek clarification. Is the Member for Couva South and the Member for Barataria/San Juan permitted to return to the House?

Madam Speaker: They have been asked to leave for the rest of the day's sitting. Continue.

Hon. C. Imbert: Thank you, Madam Speaker. That was not necessary. There is another matter that I will address at the end that does not require legislative amendment. Looking at the clauses of the Bill now one by one, the clause 1 is self-explanatory, the title. As we move along through the Bill there are four main measures or groups of measures that were announced in the 2021 Budget Statement which are addressed in this Bill.

The first set of measures is an increase in penalties with respect to the Praedial Larceny Prevention Act, Summary Offences Act, Tobacco Control Act, Children Act, State Lands Act, Minerals Act—those are the ones that I see. So that is the first group; increase in the penalties within those Acts. I would not get into any

great detail on those measures, Madam Speaker. I explained them during the budget statement and I would expect that other Members on this side to explain them in a little detail today.

The second group of measures relates to a tax amnesty. This administration has done three tax amnesties so far which have been extremely successful and I will explain the current tax amnesty that we intend to implement as I go along.

The third set of measures deal with the regularization or the liberalization, in a better word, of the fuel pricing regime in Trinidad and Tobago and there is one other clause that deals with an increase in the borrowing limit under the Development Loans Act.

So, as we go through, clause 2 seeks to amend certain sections of the Praedial Larceny Act because the existing fines are not considered to be adequate. Similarly, under the Summary Offences Act the penalties are also not considered to be adequate. That deals with section 23 of the Summary Offences Act which speaks to theft of agricultural produce which is being amended by clause 3 of the Bill.

We are also looking at increases in penalties to protect children so that we are moving to increase the penalties under the Tobacco Control Act and the Liquor Licences Act in terms of the sale of alcohol and tobacco to minors. That is addressed in clauses 5 and 19 of the Bill.

Clause 6 deals with the Children Act and deals with increasing or implementing penalties to deal with persons who expose children to narcotics, drugs, psychotropic substances and other dangerous drugs. That is in clause 6 and that will amend the Children Act, Chap. 46:01, under sections 35, 36 and 37.

With respect to the State Lands Act, the penalties and existing prescriptions and provisions dealing with the illegal quarrying are found to be defective or

inadequate and the Bill also seeks to amend the State Lands Act, Chap. 57:01, and to deal with section 25 of that Act in particular which deals with digging or removal of material without a licence. The fines are being increased and a new section is being introduced to disqualify any person who knowingly trades in or uses material which is dug, won, or removed from state lands in contravention of the Act in construction projects funded by the Government. And that is clause 7(c) of the Bill. Again, other Members will deal with that in more detail.

Clause 8 of the Bill also seeks to increase the penalties under the Minerals Act to address the issue of illegal quarrying.

So let me move now to the first substantive measure apart from these penalties. In the Budget Statement 2021, I signalled the Government's intention to reform the liquid petroleum product sector. I indicated it was the view of the Government that the fuel market should be liberalized once and for all. I will now proceed to introduce the legal framework by which this sector would be expected to operate in full liberalization.

3.00 p.m.

The Ministry of Energy and Energy Industries as well as operators in the petroleum product sector are required to put in place a system to seamlessly transition into a new way of doing business. This is going to be effected by clauses 9 and 10 of the Bill. And I want to state at the outset, Madam Speaker, and I think this needs to be understood and emphasized, that if one looks at the Bill very carefully, one will see that clauses 9 and 10 have a commencement provision, and therefore will come into effect on such date as is fixed by the President by proclamation, and that will be seen in clause 20 of the Bill. So that we will not fully implement these new provisions with respect to reform of the liquid petroleum product sector until we feel it is appropriate to do so, but we are

setting in place the legal framework to allow a new system for the pricing of petroleum products.

Clause 9(a) is straightforward, it simply renames the “Petroleum Production Levy and Subsidy Act” wherever it is found in the Petroleum Act, to the “Petroleum Production and Fuel Levy and Subsidy Act”. This introduces the term “Fuel Levy” as a consequence of a newly created fuel levy which will be applicable to persons carrying on marketing business. Clause 9(b) deletes two existing definitions and substitutes definitions from “marketing business” and “trading business”, making way for newly defined terms in section 36(1) of the Petroleum Act. Purpose and significance of the definitions is to streamline the two businesses to better reflect, on the one hand, that a person operating in the marketing business will sell wholesale to gas stations retailing petroleum products, having purchased such products from a refining or trading business. On the other hand, a person operating in the trading business will supply petroleum products only to a person operating in the marketing business. This means that a person carrying on trading business will not be able to sell petroleum products to gas stations.

With respect to the Petroleum Production Levy and Subsidy Act, Chap. 62:02, clauses 10(a), 10(b) and 10(c) have a similar effect as clause 9(a), and they are meant to capture the new fuel levy by amending the long title to a reference that a levy will now be applicable, renaming the Act accordingly, and introducing a Part I and a Part II in the Act to provide for mechanics associated with the fuel levy.

Clause 10(d) amends section 2(1) of the Act which deals with the interpretation given to the words falling under the section. Clause 10(d)(i) deletes the word “levy” under which the Act only relates to a levy paid by persons

carrying on production business. This is necessary to provide a new definition of the word “levy” at clause 10(d)(v)—and it was actually 10(d)(i) previously, Madam Speaker, not 10(d)(1)—which:

“...means a levy payable...by a person carrying on production business...

...under section 9(1)...”—and—

“...marketing business...

...under section 11A(1)...”

Clause 10(d)(ii) and clause 10(d)(iv)—this is Roman numerals—delete and substitute the definitions for “marketing business” and “trading business” as was done under the Petroleum Act which I addressed before.

At this point I would like to treat with the fundamental change being made to the renamed Petroleum Production and Fuel Levy and Subsidy Act, that is, the introduction of the “Fuel Levy”. And this is dealt with in clause 10(k) of the Bill, which introduces a new section 11A of the Act, which will require a person conducting marketing business to pay monthly to the Minister of Energy and Energy Industries a fuel levy. Sections 11A(2) and 11A(3) provide for a monthly computation of the fuel levy in respect of sales of each petroleum product listed in the schedule of the Act. And all of this is necessary now because we are moving away from fixed prices where a surplus can be generated, to prices that will move in accordance with international prices, and that is why we need to introduce the concept of a levy.

At section 11A(2):

“Where a person conducting marketing business purchases petroleum products from a trading business...”

—the formula for the fuel levy would be the wholesale price minus the ex-

terminal price, minus the gross margin, multiplied by the volume of sales by wholesale for the month.

“Where a person conducting marketing business purchases petroleum products from a refining business...”

—the formula would be the wholesale price minus the ex-refinery price, minus the gross margin, multiplied by the volume of sales by wholesale for the month. To have a better understanding of the calculation of the fuel levy, we need to look at clause 10(d)(v) of the Bill, that inserts the following definitions:

“‘ex-terminal price’...the price at which petroleum products may be disposed of or...deemed to have been disposed of by the trading business of any person to the marketing business of such person...” “‘ex-refinery price’ means the price at which petroleum products may be disposed of or are...deemed to have been disposed of by the refining business of any person to the marketing business of such person or any other person for disposal and use...”

So you have ex-terminal price where the fuel comes in, ex-refinery price where the fuel is manufactured. Wholesale price means the price fixed by the Minister under section 31(3) of the Petroleum Act. And this is very important, Madam Speaker. Because the Minister now has the power to fix the wholesale price, it will give the Government the flexibility, which is what we intend to do until this COVID catastrophe is over, to maintain a level of subsidy, particularly on diesel fuel. So the Minister now has the power to fix a wholesale price. Under normal circumstances that wholesale price would have been the actual price; actual world price. But because we recognize that this is not a period where we would want to impose too much hardship on the population, this will give the Minister the power to fix a wholesale price which would be less than the actual

price, and that is what we intend to do with respect to diesel.

The:

“‘gross margin’ means the sum of money fixed by the Minister by Order under section 8(3) in consideration of the cost of marketing a petroleum product;”

Section 11A also provides that a person conducting marketing business is required to make a return confirming the amount of volumes in litres of petroleum product sold to the Minister of Energy and Energy Industries no later than the tenth day of each month for the preceding month. The Minister is then required to notify the marketing business of the applicable fuel levy within five days of receipt of the return, and the marketing business is required to pay the fuel levy to the Minister within five days of being notified of the applicable fuel levy. The fuel levy is then to be deposited in the Consolidated Fund, and that is dealt with through 11B, new section 11B to be inserted in the Act. The succeeding or the next subsequent clause deals with the failure of a marketing business to pay the levy, and introduces penalties. 11A(8) will provide a defence to officers and directors of a marketing business if they do not pay the fuel levy within the specified time.

The other thing that remains with respect to the fuel levy is clause 10(d)(iii) which is simply to clean up section 2(1) to introduce definitions in appropriate alphabetical order. And clause 10(e) also renames the fund to “the Subsidy Fund”, from which the Minister of Finance would make advances to subsidize the prices at which petroleum products are sold by persons carrying out marketing business. And I want to reemphasize that what we are doing here, is that we are linking the price of petroleum products, super gasoline, premium gasoline, auto diesel, to the world market price but we are giving the Minister the power to introduce a wholesale price which will create a subsidy, and we intend to do that with diesel

fuel at this point in time. And might I say that at this time the prices of gasoline in Trinidad and Tobago are close to the world market price. They are not much different from the world market price. But the price of diesel in Trinidad and Tobago is significantly below the world market price. And there are consequential amendments in clauses 10(h), 10(j), 10(i), 10(k), and so on, Madam Speaker.

And clause 10(g) deals with definitions, we need to clean up the definition section in the Petroleum Act. So, those are the measures in the Bill that will introduce a new system. And let me now try and break it down into its simplest form. There will be an ex-refinery price, the price at which fuel is purchased from a refinery. That fuel will then come to a trading company such as Paria, and there will be a terminal price at the terminal for that fuel. So, it comes from the refinery to the terminal. Then that trading company will sell that fuel wholesale to dealers who will then retail the fuel. In all of this now, there will be transparency, the refinery price will be known, the terminal price will be known, and the wholesale price will be published by the Minister and determined by the Minister, and then dealers would add a margin to bring us to the retail price.

And I might also say, Madam Speaker, that if it is found that after this new system is put in place, that dealers engage in unfair pricing or price gouging, that the Government will take appropriate action and bring appropriate adjustments to ensure that the public is protected. But we do not expect that. We hope that that will not occur and we expect everybody to be reasonable. And as I said, I expect the price of gasoline to be at a similar level to what exists now, and the Government will continue to subsidize diesel in the near future until such time as we believe it would be appropriate to make appropriate adjustments.

Let me move now to clause 11 of the Bill. How much more time do I have, Madam Speaker?

Madam Speaker: You finish at 3.23.

Hon. C. Imbert: All right, I have 12 minutes. That is fine. Clause 11 is a clause that has been brought to this House on many occasions. This is simply to increase the limit under the Development Loans Act, and I can tell you right now we have ample headroom under the External Loans Act, under the Guarantee of Loans Act. The External Loans Act is when we borrow overseas. The Guarantee of Loans Act is when we guarantee borrowing by state enterprises. Development Loans is general government borrowing. And because of the level of financing we did in 2020, and continue to do in 2021 as a result of the completely unforeseen pandemic, we have found it appropriate now to increase the ceiling on the Development Loans Act which is general government borrowing. The current headroom on that Act is in the vicinity of \$2.5 billion.

And as we go forward, we have no idea how long this pandemic will last and there will be a requirement for the Government to, as I have said before, maintain economic momentum, and therefore it is necessary to increase the headroom and increase the limit on the Development Loans Act. And clause 11 increases the permissible headroom under the Development Loans Act from which the Government of Trinidad and Tobago may borrow from \$55,000 million to \$65,000 million. And as I said, this is absolutely critical for budgetary support, particularly in recurrent expenditure, and to provide the necessary support to citizens and the country at large with respect to COVID-19 relief and other measures in order to ensure that salaries are paid and to ensure that the Government's *Development Programme*, capital programme continues.

Clause 12 of the Bill amends the Government Savings Bonds Act, Chap. 71:41, and the Regulations under that Act. The Government Savings Bonds Regulations, the National Tax Free Savings Bonds Regulations and the Tax Free

Housing Bonds Regulations. These amendments are born out of a recognition that the investing public in Trinidad and Tobago has faced for many years a consistent decline in Trinidad and Tobago dollar saving deposit rates. According to data from the Central Bank, Trinidad and Tobago dollar deposit rates have been below 1 per cent since 2012. Currently the average of deposit rates is about .7 per cent, and it has been in that range below 1 per cent since 2012. In 2011, it was just over 1 per cent.

And therefore, this provides no incentive and no return for ordinary people who may wish to keep their savings in a deposit account. TT deposit rates on other savings instruments, inclusive of mutual funds and credit unions have also mirrored this trend in the 1 per cent range. The amendments are premised on the appetite in the local community for domestic savings bonds in local currency and also in foreign currency, because the rate of interest on US deposits is even less than the rate of interest on TT deposits. And there are quite a few local investors who hold foreign currency deposits in our local banks, who have foreign currency US dollar bank accounts which are earning 1 per cent or less. And there are many people in Trinidad and Tobago, ordinary people who would want to enhance their earning potential as well as acquire a hedge against foreign currency exchange risk.

Clause 12 of the Bill amends section 3 of the Government Savings Bonds Act to allow the Minister to issue or exchange saving bonds in any currency or in a foreign currency. It also amends section 3 to empower the Minister to issue bonds up to a value of \$3 billion in Trinidad and Tobago currency or equivalent value in foreign currency. Clause 12 amends section 8 of the Act to allow the Minister to make regulations in respect of the currency of the bonds. By Order, the Government would also amend the Government Savings Bonds Regulations, the

National Tax Free Savings Bonds Regulations and the Tax Free Housing Bonds Regulations, to remove the limitation for the bonds to be in Trinidad and Tobago currency and allow for the bonds to be in any currency, any foreign currency.

And what this will allow, Madam Speaker, is that whereas people are constrained now to keep their money in saving accounts at 0.5 per cent, 0.6 per cent, the Government would now be able to offer attractive interest rates of 3 per cent and so on. And I think this would be a tremendous boon and a benefit to all people in Trinidad and Tobago, ordinary people and other people likewise, that they can now get attractive interest rates on their savings, and as soon as this Bill becomes law we will be starting the process of making arrangements for inviting members of the public to invest in Government Savings Bonds, both in Trinidad and Tobago dollars and in US dollars.

The final important part of the Bill is something we have done before, which is a tax amnesty. The last tax amnesty in 2019 yielded an astonishing sum of \$2.4 billion, way beyond our wildest expectations. We had expected to get maybe a billion, we got 2.4 billion. And, I may announce that it is the Government's intention to lay and pass a version of the Trinidad and Tobago Revenue Authority Bill in this Parliament, and complete the debate and passage of that legislation before the end of this year. So that, Madam Speaker, once again the Government is taking an opportunity to provide an amnesty, and the amnesty will deal with all taxes, corporation tax, personal income tax, et cetera. The various clauses of the Bill establish a tax amnesty applied by virtue of section 2 of the Miscellaneous Provisions (Tax Amnesty, Pensions, National Insurance, Central Bank, Companies and Non-Profit Organisations) Act, No. 13 of 2019, will be applicable to interest, outstanding interest and penalties under the Registration of Clubs Act, the Income Tax Act, Corporation Tax Act, Unemployment Levy

Act, Petroleum Taxes Act, Health Surcharge Act, Value Added Tax Act, Stamp Duty Act, Property Tax Act, Miscellaneous Taxes Act, Tourism Development Act. And there was an oversight by the draftsmen; we are going to introduce an amendment to also include the supplemental petroleum tax Act. We need to address that, and I will move that at the committee stage.

You may notice there are no specific clauses referenced in the Bill for these taxes that I have called out, and these were the taxes under the Tourism Development Act. This is so because section 103A provides for the waiver of liabilities relating to interest, outstanding interest and penalties in the Income Tax Act, and that is applied under section 19, section 16, section 62A and section 44 of the Corporation Tax Act, Petroleum Taxes Act, Miscellaneous Taxes Act, and the Tourism Development Act, respectively.

So, as we make these amendments it automatically is applied under all of these Acts that I have referred to. This means that persons under those pieces of legislation will also be able to benefit from the waiver of the liability without specific sections contained in the legislation. The amnesty is applicable for the years up to the 31 December, 2020, and for the period 01 January, 2021, to 31 May, 2021. Grant reliefs from penalties and interest and outstanding interest, once the tax liability is paid between the dates of July 05, 2021 and September 17, 2021. And the Minister, as we have done in the past, will be able to prescribe a later date by Order to extend that period if it becomes necessary. Where a tax or return under one of the taxes remains outstanding after September 17, 2021, the interest and penalties will be revived and become payable as if the amnesty did not exist.

And, Madam Speaker, there are just two other measures that I mentioned in the budget statement, these measures do not require legislative amendment. And

these are: The waiver of taxes on building materials. Let me just read the precise words from the budget statement, and they read as follows:

“...we are removing value added tax on the importation of building materials to be used exclusively in connection with projects, except for certain items such as road paving and aggregate material. This measure will be similar in administration to the tax concessions granted to developers for approved tourism projects and will take effect from January 1, 2021.”

Well, we have not implemented that on January 1st. We will be implementing it shortly because it does not require legislative amendment. We are allowed under the Value Added Tax Act, under section 8(4) of the Value Added Tax Act to publish a ministerial Order which will then provide for the waiver of VAT on building materials for approved projects. And the other measure was the imposition of VAT on luxury items. We are still working on these matters, Madam Speaker, but they will be completed in the near future, and I want to stress, these do not require legislative actions, simply an Order made by the Minister, and subject to negative resolution.

So those are the matters in the Bill. Let me go through again, there will be a tax amnesty from July 05 to September 17, 2021. We are liberalizing the fuel petroleum products regime. We are increasing penalties in a number of laws to deal with matters that need urgent attention. And we are seeking approval of this House to increase the headroom on the Development Loans Act. I beg to move, Madam Speaker. [*Desk thumping*]

Question proposed.

Mr. Davendranath Tancoo (*Oropouche West*): Thank you, Madam Speaker, for recognizing me and giving me the opportunity today to contribute to the response to the Minister of Finance’s presentation of the Finance Bill, 2021.

Madam Speaker, every time this hon. Minister speaks in this Chamber, citizens of Trinidad and Tobago hold their breath. They are petrified. But they are hopeful that this Minister would come to the Parliament and present a piece of legislation, present them with some hope that he has recognized the difficulties that citizens are facing today, that he has recognized that the economy has contracted, that 112,000 persons have lost their jobs since he has become Minister of Finance, that he would recognize the severe emotional and financial and economic trauma that citizens have been exposed to under his regime, that he would recognize that the small and micro and medium-sized business sectors have collapsed under his hand.

The Minister speaks today and spoke glibly about benefits for the ordinary citizens. What benefits for ordinary citizens? He refers to savings of ordinary citizens today but Trinidad and Tobago citizens today have experienced severe distress. Most citizens have been living off their savings as a result of the crises put to them by this Government. If it is one fiscal measure, one thing that this Minister should have come to the House today with, it should have been a plan. The Minister of Finance should have come here with a plan to help people in this country, and he has failed so to do.

Having mismanaged the economy for the last six years, Madam Speaker, what the Minister has brought today in this Finance Bill, 2021, is a continuation of the running PNM policy of tax, fines and borrowing. [*Desk thumping*] These are the only ways that they have been able to finance their profligate spending. This Government has indicated its bankruptcy of ideas. They are unable to find new ways of generating employment, new ways of creating investment, new ways of generating revenue streams so that they can pay back the money that they have been borrowing so glibly.

Forget the diversification of the economy, if you will, Madam Speaker. This Government has not been even able to create a nurturing environment for businesses as they exist today much less for creating new businesses. And it is not that they do not know. The Minister of Finance in his budget presentation and earlier on today indicated that he was aware that the country was experiencing some difficulties. But the World Bank report, the ease of doing business has spoken to him before. They are aware of the crises that have been vested upon us. And under his hand we have reached the lowest we have ever been with the ease of doing business under this Minister, ever in our history, Madam Speaker.

Today we have persons in the construction sector outside begging for you to open the construction sector, not just the sector that relates to government construction. We are in the rainy season now. We are in the rainy season now, people have leaks in their roofs. People need to fix their drains, et cetera, et cetera, et cetera, so that they do not have exposure to flooding. This is the kind of initiative we would have liked to see the Minister come with today, a recognition of the problems confronting this country. Instead, in everything that this Minister has done, he has created a sort of dependency. He has created a situation where they want people to be in disadvantageous positions. They want citizens to line up. When it is not lining up for pensions, it is lining up for vaccines, it is lining up to change money, it is lining up to get food. That is the level at which they have pushed our citizens. They have forced us to become dependent on the State. That is unacceptable, Minister.

This Bill is a recognition then, Madam Speaker, of the failure of the Government to put matters in place to safeguard our farmers, to put mechanisms in place to ensure the proper collection of tax, and income tax in particular, Madam Speaker. They have come here today, Madam Speaker, the hon. Minister

and his colleagues, because their policies over the last six years have failed and have resulted in the drying up of revenue from traditional sources, and so they have come here today to do what they do best, tax, fine and borrow.

3.30 p.m.

Madam Speaker, in the last year, over no other period, the agricultural sector has proven that it is critical and valuable to the economy of Trinidad and Tobago. Clause 2 of this Bill before us deals with agriculture, and allow me to declare my interest, Madam Speaker. My constituency of Oropouche West is one of the food baskets in this country. Our farmers have been plagued by flooding, poor market conditions, poor infrastructure and, yes, praedial larceny. Farmers from Tulsa Trace, Tenant Trace, Woodland, Ramjattan Trace, Puzzle Island, Rahamut Trace, throughout this constituency have suffered from these ills. I know the hon. Minister on a previous occasion had admitted that he did not know where Oropouche West was, but they are deserving citizens and they deserve some attention to.

Now, at first reading of this Finance Bill, Madam Speaker, I am convinced that the Minister—*[Interruption]* Madam Speaker, on first reading, this Bill appears to consider these farmers. At first, it appears—the Minister tried extremely hard in his Bill to create the perception that he was very concerned about the state of farmers in this country, but that is furthest from the truth. Because when the Minister had the opportunity to so do, to spend \$500 million of an agricultural stimulus package, to improve the viability of the agricultural sector and the contribution of this sector to the national gross domestic product, what did he do? This money could have been spent on the very same Praedial Larceny Squad, on implementation—praedial larceny—measures to prevent praedial larceny.

As of midnight last night, the Minister continues to be sitting on \$447 million

in his back pocket, so to speak, which he has refused to spend. He did not even trust the Minister of Agriculture, Land and Fisheries with that money. When it counts, Madam Speaker, when the Minister had the funds, when the Minister had the opportunity, when there was a clear and desperate need for nine months for the Minister to lend a hand to the agricultural sector, which we all realize and recognize as critical to our economy, when this Minister had the opportunity, he did not lift a finger. And now he has come here with this clause 2 to create a facade, the illusion of great concern and care for farmers who are experiencing this praedial larceny.

But, Madam Speaker, it does not matter. If you raise the fines by 100 percent, by 200 per cent, by 1,000 per cent, all of this is just mamaguy if you do not put the machinery in place to execute. And we have \$500 million— 447 million still sitting in the Minister's pocket while farmers are out here in the rain suffering, as we speak, experiencing millions of dollars of losses.

Madam Speaker, the hon. Minister also spoke at length about this tax amnesty. I have noticed, Madam Speaker—and if you would have read the Bill as we have done as well, you too would have noticed that there are several clauses here that treats specifically with the tax amnesty. But the Minister has not come today to tell us how much is owing—how much is owing to date? What has he done so far to break the back of what is owing? How much do you intend to collect and what is he going to do with the money that he has collected so far, Madam Speaker? Madam Speaker, this Government has so mismanaged the economy that we are now in a position where the Government is desperate for money, seeking to pick up money, to absorb money, to mop up money wherever it can, however it can and that is a dangerous and desperate state to be in. At best, what they have come up to do is to give a series of tax exemptions.

Madam Speaker, basic economic theory tells us that the purpose of a tax amnesty is to allow for the collection of outstanding revenues when all other economic and financial measures have failed. But in 2019—the Minister just reminded us—in 2019, just two years ago, this Minister provided a tax amnesty and he boasted just now about the amount of money he collected. This is not something, however, that should be used every year, because what it does then is that it encourages persons not to comply with the legislation, [*Desk thumping*] Madam Speaker, not to comply with the laws of the land. It does not create a culture of compliance, quite the opposite, it encourages non-compliance with the law. The Minister is setting the wrong precedent. A tax amnesty is to motivate you to come forward and pay your taxes. When you have amnesties that are too close together, it creates what is known as “tax lethargy”. This Bill provides a series of fines and penalties if you do not pay your taxes during the period of this amnesty.

But, Madam Speaker, the Minister has not told us, are these the same people who did not pay in 2019 who you expect to pay now? And what happened to those persons who did not pay in 2019 and have not paid now? What have you done? What exactly have you done with regard to those delinquent taxpayers? Further to that, Madam Speaker, 2019 did not work, what makes you think that 2021 will work? The Minister simply does not know how much money is outstanding and if he does, he should tell us. And if he knows how much money is outstanding, Madam Speaker, what the Minister needs to do is to implement the law. You see, Madam Speaker, this amnesty too is another mamaguy. When it comes down to it this, Minister of Finance has two basic functions, you know. His function is to generate revenue, to collect the revenue of the State via taxation and otherwise, and to budget for expenditure. This Minister, by bringing this piece of legislation here today, again to create these amnesties, is confessing that he has failed at his job to

properly collect the funds [*Desk thumping*] that are outstanding to the Government of Trinidad and Tobago.

So having failed to collect the moneys that are outstanding, what this Minister has done is resort to what they normally do. He comes back here today to borrow. He comes back here today to ask for the permission of this honourable House to borrow more money. And all of the other clauses, Madam Speaker, all of the 21— all of the other clauses of this 21-clause Bill is only packaging, is only decoration. The Minister's focus is on three clauses: clause 9 and 10 which dealt with the petroleum levy which is just another tax on the population and one other clause, clause 11.

Clause 11 deals with the Development Loans Act, Madam Speaker. For the third time running, the Minister came and said that this has come to the House on a multiplicity of occasion. For the third time running, this Minister has come to raise the ceiling of this specific piece of legislation. The Minister really does not care about amnesty and penalties. In a time of financial crisis when economic financial and innovative leadership is required, this Minister comes here today to borrow money. Just like with elections, Madam Speaker, borrowing has consequences. Madam Speaker, clause 11 gives the Minister the permission, gives the Minister the authorization to borrow money up to \$65 billion. This has nothing to do with COVID; that is what he wants you to believe. This has nothing to do with COVID, Madam Speaker, because the Minister in 2015, raised the ceiling from 30 to 45; 30 billion to 45 billion in his first incarnation, in his first time in Parliament here. We went from 30 to \$45 billion.

In 2019, he went from 45 to \$55 billion. So the first bit, he spent it out. He went from 30 to 45, spent it out. He went from 45 to 55, spent it out and is now here, Madam Speaker, seeking the permission of the Government—seeking the

permission of the Parliament, sorry, to raise the ceiling even further. To have to come now, Madam Speaker, to raise this ceiling so much more tells us—and the Minister gave us the figure today, that this Government has maxed out, maxed out the level of funding available under this Head. He said that 2 billion on average is left as the headroom under this fund, Madam Speaker. That means based on the Central Bank's economic—the Annual Economic Survey of the Central Bank of 2020, in September 2020, the headroom available to the Minister was \$9.5 billion. Today the Minister is telling us that \$2 billion is left as the buffers. It is left remaining in the headroom. That means, Madam Speaker, that for every month in the last nine months, this Minister has been spending over \$800 million from this source alone.

I ask citizens today, have you all felt that? At a time when this country has shut down, when much of it is under a state of emergency, when businesses have collapsed, when Government expenditure has been cut drastically, what has this Minister spent this money on? This same Central Bank report also tells us, Madam Speaker, about several other Acts under which the Government has access to borrow money and it provides a significant amount of detail about the exact amount of headroom that the Government had as at September 2020—at the end of September 2020.

Madam Speaker, I would not give you the details of it; suffice it to say that based on the Annual Economic Survey 2020, this Government has, under the External Loans Act, the Guarantees of Loans Act, Treasury Bills Act, the Guarantee of Loans (Statutory Authorities) Act, under the VAT Act, the Treasury Notes Act and the Treasury Bonds Act, this Government has at September 2020, the end of September 2020, had over \$66 billion accessible to it at the end of September 2020.

I understand that my colleague is a little bored by figures at this point in time, I understand that. His focus may not be on the welfare of citizens and the fact that we have to repay [*Desk thumping*] the amount of money being borrowed here, but that is our concern; \$66.4 billion is what this Minister had at the end of September 2020. If you had that money, why then are you coming now? Why are you coming now? This is more than in excess of the annual budget for the whole year. Why are you coming now to raise this specific amount of money?

And, Madam Speaker, it is not that the Minister could come here and say this is to pay public servant wages or to pay nurses, finally, or to pay policemen or to buy vehicles, et cetera, et cetera, that is the obligation of every government and you should have budgeted for that at the start of the financial year. But what has the Government done with all of this money that it has accessed. Where has it been shown? Where can we see this? The Minister claims that this is because of COVID but it cannot be. It cannot be only because of COVID, it cannot be at all because the Minister has been borrowing money since 2015 when he came in, way before COVID. This cannot all be about rental of properties either, Madam Speaker. So I ask, is this need or greed? [*Desk thumping*]

It took 51 years and 14 governments to build up 30 billion in debt under this very Act; 51 years and 14 governments, that is what it took; 51 years and 14 governments to build up \$30 billion of debt under this Act. You know how long it took this Minister to do that? This Minister, in six years, has been able to double that. What a—51 years, you know, Madam Speaker, this Minister has been able to borrow the equivalent of what it took 14 governments to borrow. That is excessive, Madam Speaker, that is excessive.

But you see, Madam Speaker, borrowing is not the problem. The issue is, what you do with the money you borrow and how you propose to repay it? [*Desk*

thumping] And nowhere in this Bill or in any of the previous Bills that the Minister has brought to this House has there been any real example of what the Minister proposes to do to repay the debts that he is putting this country into. We have had reference to the megaprojects and the grandiose game changers, all of it has collapsed. This Minister refuses to find ways of repaying the debts. He is just kicking the bucket down the road so future generations continue to have to find ways to pay money, Madam Speaker. [*Desk thumping*] Every citizen who has ever gone to a bank knows that you cannot borrow money without explaining how you are going to pay it back. But that is exactly what this Minister has been doing, that is exactly what this Government has been doing, borrowing money with no idea of how they are going to pay it back.

And, Madam Speaker, while they are busy borrowing money, while they are very busy borrowing money, they are missing some low-hanging fruits. And he brought in the Bill today, he brought one those low-hanging fruits when he was treating with quarrying, when he dealt in clauses 7 and 8 of the Finance Bill—this is a low-hanging fruit. The problem is, however, Madam Speaker, that the Government has failed to access this very low-hanging fruit which could generate millions, if not billions of revenue for the State. So instead of having to borrow, if they had pursued this quarrying sector, this illegal quarrying sector effectively and efficiently, we would not have had to borrow as much as we are borrowing now. Why is there not an enforcement of the laws that exist in Trinidad and Tobago today to ensure that illegal quarrying serves its fair share to ensure that illegal quarrying is stopped and the revenue that could be generated by that quarrying comes to the Government under free hand, Madam Speaker.

This Government has failed to implement—just like they did with the amnesty—they failed to implement the law. To date, in the last six years, the

Government has not been able to successfully prosecute a single person under the existing legislation. Instead, they have allowed billions of dollars to be leached from the Government, to be leached from the Treasury and instead come back now to have taxpaying citizens burdened with the cost of their incompetence. Why is the Ministry, why is the Government refusing to take a hard position on the legal quarrying, Madam Speaker? Ask yourself why. I have no conclusions and I would want to draw on that point. I ask the population, Madam Speaker, through you, to think about it, to figure out why.

Madam Speaker, in clauses 9 and 10, the other issue that the Minister is interested in, taxing the population of Trinidad and Tobago. I want to remind the Minister, as he did, of what he said in budget 2020, and I quote:

“...the stated objective of the policy was clear: consumers, in particular low-income groups would be protected from volatile and high prices with consistent access to affordable prices through the subsidy mechanism.”

That is what the hon. Minister told us today, Madam Speaker. That is what he told us in October, on the 10th of October in this very House and he repeated that today, that the Minister now has the authority to institute a subsidy.

Madam Speaker, this Minister has very little history of giving to population. In fact, the history has been the opposite way and every chance he has gotten, he has taken away from the population. The price of oil, Madam Speaker, when the budget was read, averaged US \$39 per barrel. Today it is twice that; US \$73 per barrel of oil, Madam Speaker. As the world reopens, we expect that the demand for oil and the price of oil will rebound even more than that. So in theory then, with flexible oil prices being what they are, with the Minister's commitment to removal of the subsidies, what this will do, what this new levy will do is create two things:

the space for a monopoly at the pump and the result of that monopoly is the risk that prices to consumers will be astronomical, it will grow, it will be higher.

Now, Madam Speaker, I am sure you are aware that this will impact the gas in your car, but transportation and every other aspect of our civilization is linked to this very same increase. So food prices, energy prices will increase, gas prices will increase, food prices will increase, transportation costs will increase, et cetera, et cetera, et cetera. All of these things will increase, Madam Speaker. The result will be a severe disadvantage to the population of Trinidad and Tobago at a point in time when our citizens are least able to accept it. This Minister comes today to tell us that he is going to raise the price of fuel. That is basically what this is.

Mr. Charles: I am getting disturbance from the Minister—[*Inaudible*]

Madam Speaker: All right, okay, okay. All right. So we have a little give and take. Please abide by Standing Order 53. Please continue, Member for Oropouche West.

Mr. D. Tancoo: Thank you, Madam Speaker. In a country already burdened by increasing T&TEC rates coming, by increasing WASA bills coming, they have already indicated that—by increasing port charges coming, by increases in food prices as a result of the increase cost of international transport, in a country already in crisis as a result of these increases, Madam Speaker, comes this additional cost to taxpayers. This entire Bill therefore is a penalty. It punishes the poor and the middle income who have now groomed and blossomed. Thanks to the Minister of Finance, there are more people now who have been pushed from middle income to low income and from low income into absolute poverty. That is on the backs of the Minister of Finance and the policies of this Government.

Madam Speaker, while some people are building generational worth and generational wealth, it is on the backs of citizens who are being saddled by

generational debt. What is happening now, Madam Speaker, is the Minister of Finance who is running out of options. So we are expecting to see very soon a fire sale of the assets of this country. We have already seen them signal Petrotrin. We wait to see what will happen with T&TEC, TSTT and the port and WASA, the crises are coming.

Madam Speaker, nobody—and TSTT. Nobody in their right mind borrows money, indebts themselves, put their assets at risk and has no clue of how to pay it back. The truth is, Madam Speaker, that this Minister and his Government are not indebting themselves. They are indebting future generations of the people of this country while destroying the very industries and sectors that are needed to free us from that debt. This is not sustainable, it is not good economic policy and it is even worse leadership.

In closing, Madam Speaker, I would like to state that anyone can borrow money and spend it, but the ability to work the mechanics of an economy to benefit all of the people of Trinidad and Tobago while maintaining sustainability and stability for the future is a job that this Minister, unfortunately, is not qualified for.
[Desk thumping]

Madam Speaker, recently, the hon. Minister—I would treat with that at another point in time. What this Bill is, this Bill that penalizes the population of Trinidad and Tobago, is an attempt by the Minister to tax everywhere that he could get money from. As much as “de tanty selling de sweetie, de cigarette sweetie from long time in de parlour”, he is taxing that, he is penalizing that. They are penalizing persons who did not put up their bar signs properly, Madam Speaker. Instead of going after the big fish, instead of going after illegal quarrying which is where they should be focusing effort on, the Government continues to attack and penalize the poor in this country, the ordinary citizens and that is unacceptable.

Madam Speaker, with those few words, I thank you very much for the opportunity to contribute. [*Desk thumping*]

The Minister of Energy and Energy Industries and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Madam Speaker. Madam Speaker, to bring the debate back to the Bill that is before us and to get out of the realm of fantasies and realm of dog whistling and the realm of theatrics, we come back here today, Madam Speaker, through you, to focus on what is before this House, the Finance Bill of 2021. And after all of the drama and the theatrics, and focus on this and focus on that, to come down, I am here to deal with two main issues which are only two issues in a multitude of matters that this Bill deals with.

I am here today, through you, Madam Speaker, to deal with the issue of illegal quarrying and the liberalization of the fuel market in Trinidad and Tobago. And to start with the fuel liberalization, Madam Speaker, quite contrary to the submissions made by the Member previous to me and all of the shenanigans and all of the theatrics and the drama, it is doing absolutely none of what he just suggested. The liberalization of the fuel markets was put forward by the Government in the budget speech of the Member of Parliament for Diego Martin North/East, the Minister of Finance, in his budget statement in October of 2020. And what it is, it is a policy decision by the Government—some may argue that it is long overdue—to move the whole fuel market at the pump. So let us start off by that.

What we are dealing with here is diesel, super and premium, unleaded fuels at the pump, and to move away and to liberalize the market. And what I am going to do is, as briefly as I can, Madam Speaker, explain this concept in layman's term so that the population understands what it is and it is not a taxation effort. It

definitely is not a taxation effort, as was suggested by the previous speaker, as is usual an attempt to mislead the population.

The first thing this policy does, Madam Speaker, is it removes fixed retail margins. So as anyone who has travelled to the more developed countries of the world—let us use the United States as an example, the UK as another example and many other countries—what we are doing for the first time is we are allowing at the pumps, the retailers to move their prices. That is only going to be allowed to take place once a month. At the beginning of the month, the Ministry of Energy and Energy Industries will put out circulars saying these are the prices and the ranges within which fuel can be sold at the pump with respect to super, premium and diesel.

I am going to put at the outset right here, Madam Speaker, that we are maintaining the price of LPG, we are maintaining the price of CNG and what we are dealing with is the super gasoline, premium gasoline and diesel gasoline. We are going to keep wholesale margins fixed, Madam Speaker. We are also going to allow ourselves to apply an appropriate but reasonable tax to compensate for the fuel surplus. This is a fuel surplus. So there is not going to be taxation as such. And I will get to what the policy is in a short while, that when it crosses—because it is linked to oil—when we cross US \$65 a barrel of oil on the world market, there is not going to any fuel levy.

Also, I would like to put the population on notice, Madam Speaker, that the Minister of Energy and Energy Industries, after consultation with the Minister of Finance, will have a decision to make as to whether to apply a fuel levy at all. So it is something that will remain within our discretion. Every month, the Ministry of Energy and Energy Industries will post the wholesale market base price of premium gasoline, super gasoline and diesel on the first day of each month. And

what this is going to be based on is the calculation of certain prices. So currently, it is calculated on an ex-terminal price. We really are going to be moving away from that and to jump into the formula so that the population can understand how prices are going to be set on a monthly basis. There is a retail price and the retail margin. The retail price and the retail margin would no longer be fixed for premium gasoline, super gasoline and diesel while the gross wholesale margin for all petroleum products will continue to be fixed. So the Government will maintain, as I will get into, a level of control over what the dealers may do at the pump.

There will be an introduction or the concept of a fuel levy, that I just said a short while ago, will remain within our discretion. The wholesale price will continue to be computed and published by the Ministry of Energy and Energy Industries on a monthly basis, the proposed build up price for this liberalized environment. The retail margin will be determined by the retailers for each fuel station and this is really where the population will be affected. So what we are going to allow the retailers of fuel now to do that is the NP and the Unipet stations, is they can determine, within a fixed formula, what is the charge they are going to charge at the pump.

So contrary to what was said by the previous speaker, it is not a monopoly. It is not a monopoly and also, persons will be allowed to see some price fluctuation. If prices, world gasoline, oil prices go down, the persons at the pump, we the consumers, will be able to get the benefit of that. If prices go up, the Government is maintaining in there an opportunity, a buffer for us to be able to protect the population from high prices if we so determine.

So the retail margin will be determined by the retailers for each fuel station and can be varied only once on a monthly basis. The wholesale price will be computed monthly by the Ministry of Energy and Energy Industries as follows: the

wholesale price will be the ex-terminal price plus the gross wholesale margin and the fuel levy, if we apply a fuel levy.

4.00 p.m.

The new wholesale price including VAT will be the price published by the Ministry of Energy and Energy Industries, as I said, on the first day of each month. The fuel levy was created as advised by the Ministry of Finance as a means to maintain a stream of revenue to Government in a liberalized environment to be equal to the surplus on petroleum products that may have been generated in a subsidized environment. The fuel levy is expected to be paid—this is important. The fuel levy is going to be paid by National Petroleum and Unipet based on the volumes of petroleum products sold for the month. So they are the persons who will pay the fuel levy, and the way the fuel levy will be applied, Madam Speaker, is, it will be fixed. When the oil price is below \$45 a barrel, it will be equal to the surplus that is generated at that level. Between US \$45 a barrel and 65, we will vary it according to a schedule. Once the price of oil is above US \$65 a barrel, Madam Speaker, there will be no fuel levy charged.

Madam Speaker, in order to minimize price fluctuations and to protect the end consumers of premium gasoline, super gasoline, and diesel, a retail margin ceiling will be set by the Government. What that means to the persons purchasing fuel for their vehicles, is do not fear, we are going to still protect the population by setting a maximum level for that fluctuation at the pump of the margin that a retailer can sell fuel to. The retailer is purchasing the fuel from the NP and Unipet who in turn would have purchased their fuel from Paria who is going to import this fuel. Along the way, everybody puts on their margin until it gets to the person purchasing fuel for their car at the pump. The retail margin ceilings for each petroleum product will be equal to a 50 per cent increase in the current retail

margins as shown in a Schedule that we have. It is believed that these retail margin ceilings are high enough to allow for price competition during an initial stage.

So what we expect to see is different gas stations selling fuel at different prices but within a band and consumers will be able to get the benefit of the fluctuating oil prices on the global market, and also hopefully the benefit of competition by the various gas station owners. These retail margin ceilings can be revised by the Ministry of Energy and Energy Industries and the Ministry of Finance, as necessary, as we monitor on a monthly basis how we see the market players behaving after implementation.

The Ministry of Energy and Energy Industries has built out the system and we will be able to publish on the first of every month what persons can expect the retail margins to be at and that will be published by the first of every month, and we will have the necessary calculations. As I said, the retail price of LPG to end consumers will continue to be fixed at TT \$1.05 per pound. Madam Speaker, may I enquire of you when—I cannot see that from here. Thank you very much. The age of my eyes, Leader of the House, I could not see from here. Thank you.

So, Madam Speaker, that is the breakdown of how we intend to liberalize the fuel market for the population. So there is no need for the fear, the attempts to generate fear, and to have people outside there and our population think that the Government is coming to increase prices at the pump and to throw all of this pain and burden on persons; absolute rubbish, Madam Speaker. What we are doing is publishing here a formula where people can see in advance, and importantly, less the point be missed that the Minister of Finance made, we are not doing this until we take a conscious decision to implement it. We are putting in place the law now. The Minister of Energy and Energy Industries maintains an opportunity inside of there as to when it should be implemented, also the application of the fuel levy

which is a taxation that we heard a lot of screaming about before. But really, once we liberalize we expect the market, the persons like you and me, Madam Speaker, getting gas at the pump, to be able to get the benefits of the fluctuation of prices on the global market.

The second point that I have come here to deal with today that is a scourge, it really is a scourge on every law-abiding citizen of Trinidad and Tobago, is illegal quarrying. Despite all of the nuances and all of the contribution and the misinformation from the Member before, we did not see them take any action when they had a constitutional majority to deal with illegal quarrying. In fact, the evidence is that illegal quarrying increased and took off during that time of Government between 2010 and 2015. What you are seeing here today and what the population is seeing here today is the first stage by this Government, via legislation, to tackle this issue of illegal quarrying, and it is going to come under the Ministry of Energy and Energy Industries. We are putting in place a team, as I indicated when I first got assigned to that portfolio, and we are going to be tackling the scourge of illegal quarrying.

What we heard no one mentioned previous today is what this Act is now doing. Immediately we are making amendments to the State Lands Act as well as the Minerals Act to increase the fines by 200 per cent to hit the pockets of those who may engage in illegal quarrying. That is the first step. We have also increased substantially the penalties, the sentencing time that are attracted in these fines of illegal quarrying, but importantly, and I heard no mention of it before—and the reason is that it may be hitting the pockets of some close on the other side—that what we are doing for the first time today is with respect to State Lands Act as well as the Minerals Act, we are inserting legislation, clauses that say, firstly, a new 30A under the State Lands Act that any person:

“A person who knowingly trades in or uses material which is dug, won or removed from State Lands in contravention of this Act is disqualified from engaging in construction projects funded by the Government.”

That is a massive step in the right direction.

So in other words, we are saying Government projects will not use the illegal aggregate that is gotten from illegal quarrying on state land. That is a massive step in the right direction. So Government contracts and Government projects will not use any material from illegal quarrying, and we are making that illegal for the first time. This is just the first step in how we plan to tackle illegal quarrying. I can project now to the population that in conversation with the Ministry of the Attorney General and Legal Affairs, we are going to be coming with further legislation to deal with illegal activity that takes place in illegal quarrying, and persons who right now are using some of the nuances of the legislation to escape the full brunt of the law; similarly, being done in the Minerals Act. Because, of course, what I just quoted is dealing with state land, we recognize that it can also take place outside of state land. We are saying now a new 47A in the Minerals Act that:

“A person who knowingly trades in or uses a mineral which is explored for, mined, processed, imported, exported, extracted or purchased in contravention of this Act is disqualified from engaging in construction projects funded by the Government.”

So for the first time you have a government taking the step of saying we are not going to utilize the product of illegal quarrying in Government funded projects or in Government construction projects. That point should not be missed by the population. We are very aware of the illegal criminal activity associated with illegal quarrying and this Government is committed to dealing with it as best as we

can. What I can say, as the Minister of Energy and Energy Industries, within the past few weeks I have actually done an aerial survey of what has happened on our north coast, the East-West Corridor, and seen firsthand the type of activity that has taken place. And I am putting people on notice, do not think that we come from the roadside where what they have done is along the roadside; you can see absolutely no illegal quarrying and they start 300 metres beyond the pine trees, et cetera. So let the criminals be aware that we are coming after their illegal quarrying and illegal ill-gotten gains, and this is the first step via legislative means of tackling that.

Madam Speaker, there was not much said at all. It was a lot of rhetoric by the speaker previous to me. I was listening, taking notes as to whether there was anything that needed to be addressed. I could not pick up anything. I do not know if my colleague, the Minister of Finance, in his wrap up may struggle to find something to respond to there, but I could not find it. I wanted to say that the petroleum levy is not another tax. In fact, that is to deal with the surplus that may be derived. This concept of the screaming about the borrowing, the borrowing, borrowing, there is one thing I would like to just touch on because I heard it mentioned over and over that Government has not been able to successfully prosecute a single person for illegal quarrying. That is not true. So to come and just through these things on the records— Secondly, it is not the Government that prosecute. Sometimes I wish that our legislation allow the Government to prosecute. Prosecution is in the hands of the police service and in the hands of the DPP. We provide them with all of the necessary resources that they need and it is simply not true to say it is the Government. Also, this cry that I heard over and over, the Government failed to implement; it is not a failure to implement. There are sometimes may be a fall down by those who are in charge of enforcing the law,

the Government is there to support them.

I am putting persons on notice once again, Madam Speaker, through you, that the scourge of the illegal quarrying, that criminal activity, this is the first signal via legislation that we are going after it, going after it hard. I am also telling the population, do not think for a moment, Madam Speaker, that the Government is not aware of the difficulties that the population is feeling out there. We are very aware. We are conscious of it. I heard the previous speaker say that the Minister of Finance should have come here today and open the construction. That is not for the Minister of Finance. And in fact, he knows, as the rest of the population know, that the Prime Minister indicated and signaled that working along with the health professionals, that is something under consideration. I am sure tomorrow the Prime Minister will address us on that. So what I am asking the population to do is to stay calm. We are very aware of the difficulties that are taking place. There is nothing in this legislation here today that is driven to make it any more difficult for the population.

In fact, it is the exact opposite with respect to the amnesties. The amnesties are there to ease persons up so that they are not attracting penalties, interest, and an escalation on the amounts that they may owe the Government. So it is the exact opposite. And let the population, through you, Madam Speaker, take note of the constant dog whistling, the constant attempts to create fear, to create panic, and to create this concept of complete destruction that always comes from those on the other side. Madam Speaker, with those few words, I think you for the opportunity to have joined the debate. [*Desk thumping*]

Madam Speaker: Member for Tabaquite.

Ms. Anita Haynes (Tabaquite): Thank you, Madam Speaker. Thank you for recognizing me as I seek to contribute to this Bill, this Finance Bill, 2021. And I

listened closely to the speaker before me, the Minister of Energy and Energy Industries, and before him the Minister of Finance, both try their very best to have this call for calm and it has nothing to do with the Opposition despite what they may say. But the fact is, any time before the Minister of Finance brings any fiscal measure here, there is always an increased line at the pump, and that has nothing to do with anybody on this side. It is just a fact that there is a certain level of fear that the population feels readily. You know, Madam Speaker, as we talk about this liberalization of the fuel market and the price at the pump, you have to approach the population with a certain sense of empathy. You have to think about the population and who you are talking to. The fact is we are not accustomed to that kind of system.

I myself lived in the United States for several years so I personally am accustomed to the system, but persons in Trinidad really and truly would not be familiar. So the Minister of Energy and Energy Industries seeking to create this sense of calm that you do not have to worry about it, that there will be these fixed measures, this ceiling, but you are talking to a population who is accustomed to a kind of stability at our nation's pumps—a price stability was the aim of our subsidies. The Minister of Finance when he presented the budget in October of last year noted that, and now they are talking about a policy shift and try as they might to speak to this policy shift as being a good thing for the people of Trinidad and Tobago, and that we would see the benefits of it once there is a low global market price for fuel, the fact is the reverse is also true. And you say that not to put a sense of fear in the population, but because it is truth; that is what would happen.

And so, I do not know—the Minister of Energy and Energy Industries used the United States as an example, and I do not how many persons recall, but a couple years ago when the hurricane hit Houston, Texas—now my family lives in

Austin, Texas, so we are in close proximity—there were a lot of fights and a lot of chaos at the pumps that people were trying to compete. Because in times of emergencies you do see what these liberal prices at the pumps really do to a population, and you know the thing is, again, it is not— Now, the Minister spoke very carefully as well about seeing the benefits of competition, seeing the benefits of a competitive pricing in the system. Now that works all well and good in urban communities, what happens in rural communities where there is little to no competition?

I represent a constituency that has a number of areas that are served by a single gas station, and there are others on the Opposition Bench who can speak to a very similar arrangement that if you—when you get the gas station in Brothers Road, you have to drive 45 minutes to a gas station at least. So you better had not reached there on “E”. Would my constituents benefit from this competition? Would my constituents benefit from the reduced price at the pump that we ought to be seeing? Because as I stand here as a representative for the constituents of Tabaquite, I am of the very firm opinion that many of my constituents would be paying the higher end of this ceiling. And so that was of the main issues that I wanted to raise on behalf of the residents in my community and community like ours.

The Minister also spoke, Madam Speaker, as to the certainty that the numbers would be published and that we would be publishing—that the policy decision was taken and that the numbers would be posted, and the question I have is: Once this decision has been taken, there must be after today, and when you are speaking about it and you are seeking to let the population know, be calm, all will be well, that once you start to operationalize this measure—and I took note of the Minister of Finance saying it is based on the proclamation so not right now, but

that is another thing that I would deal with. But the fact is based on what you are saying here you have to go on a very—you have to be very clear as to where everything will be posted, and that it is available and accessible to the vast majority of Trinidadians and Tobagonians.

And now, Madam Speaker, I get to the fuel levy, and again the Minister made the point that a decision can be taken when this fuel levy would be applied, but according to the Bill, one thing that we are sure about is that the fuel levy, once it is paid and deposited, would be placed in the Consolidated Fund. And I am raising this on the basis that the Government is in a social contract to the people and when you pay your dues, you pay your taxes, you pay your fuel levy, et cetera, you have a legitimate expectation of certain deliverables from said Government. So anything that you are paying into the system, you expect that services would be delivered to you as a citizen. And so, if a fuel levy is to be applied what we are must demand are better roads, Madam Speaker. We must demand that if once you are paying fuel levies, you are paying your taxes, we deserve roads that we can drive on because I can tell you the daily complaint that I get is that we are paying into the system and we are not seeing the services as we should.

And so, Madam Speaker, putting the fuel levy and depositing it into the Consolidated Fund without the necessary accountability to the citizens of this country that what is being paid into the system would redound to their benefit, that I think is a very, it is a dereliction of duty.

To the point, Madam Speaker, of the borrowing of the Government and the increase of the borrowing ceiling. I said it in the budget debate and I will say it again here now, somebody, a generation of Trinidadians and Tobagonians will pay the price for the borrowing of this Government. Because what we are looking at is while we increase borrowing limits and we increase how much can be borrowed,

we are not telling the population what is being invested so that we can see benefits in the future. Are we just existing today for tomorrow? Because that is a very, very significant worry for a lot of us particularly those of us who may be a little bit younger, because we are going into a space where we are going to pay a price but we have not seen the necessary investments and where we would be reaping rewards in the future.

It seems very much that every announcement that is being made is for us to survive today for tomorrow, and therefore, the Minister has a responsibility to the nation to say where significant investments are being made so that the population, the next generation of Trinidadians and Tobagonians, could do more than survive but can actually thrive in the new world. So that when we come out of the pandemic space, are we coming out a Trinidad and Tobago that can succeed where we can see new businesses opening, where we can see people thriving, the entrepreneurial spirit growing? Are we going to see those changes? Because if you are going to spend money, if you are putting money into places, tell the population, tell Trinidad and Tobago, what are the significant benefits that they will see at the end of the day? And if you cannot do that, then you failed on your accountability function to the people of this country.

And so, Madam Speaker, the issues that I had that I really thought it very important that the Minister stated that this liberalization of the fuel market would be done at a time when it will not be as onerous on the population, but without setting a timeline, without setting a further timeline for this, you almost have us in a state of abeyance so we are constantly saying well, when will this happen, when will this—because I mean, like I said you get the lines at the pump before the budget, but now with this cloud over our head as to when will this happen, the population is left, I guess, just to wait and see. And putting certain protections in

place but not considering the protection for rural communities, we find ourselves very worried that those of us who are without the benefit of living in more urban areas may pay the highest price from this Government's policy decision.

And so, Madam Speaker, I also noted the Government was very careful to talk about protections and possible protections against a cartel, and there is one thing, Madam Speaker—and the Minister of Energy and Energy Industries spoke to about living in reality and living in the real world, but there is one thing to say these are our intentions, but the Minister of Finance had to note that should their intentions not be realized that we could come back and change the system. So I am guessing that they are very well aware that in the real Trinidad and Tobago that system of a cartel can develop, and therefore, I was heartened to hear that they will do their best to protect against it, and we the population will remain exceedingly vigilant to ensure that these protections are in place. Because, like I said, you cannot be paying into the system, you cannot be in some instances paying more for gas, and then still have the world's worst roads to drive on, still have to deal with landslips that remain unfixed.

As a matter of fact, like I said, the people of Tabaquite would refuse to be paying extra at the pumps while driving on half a road. In some instances, we do not have a whole road to drive on, Madam Speaker. And so, as we look at these financial measures, it is important to us as citizens, that the Government account to every penny that they are spending and borrowing, and that they tell us, as citizens, what are the tangible benefits and the investments for future generation, and I thank you, Madam Speaker.

Mr. Charles: Madam Speaker, when you announced earlier today you did not say the Prime Minister was absent and I want to know if that is breach—[*Crosstalk*]

Madam Speaker: Member for Naparima, I believe you are acting as the Whip and

that you will abide by this green book which you hold, which are the Standing Orders. Member for San Fernando East.

The Minister in the Ministry of Finance (Hon. Brian Manning): Madam Speaker, thank you for your acknowledgment. [*Desk thumping*] Madam Speaker, I am extremely honoured to speak here today on this Finance Bill, 2021. It is a wide-ranging Bill offering quite a few amendments, but I am going to restrict my contribution to clause 11 and clauses 13 to 18. But first, Madam Speaker, earlier I heard some statements that I mean I really have to question. The Member for Tabaquite spoke about fuel prices, you know, flying out of control, but I am absolutely sure that I heard the Minister of Energy and Energy Industries just a few moments ago say that the fuel prices will operate within a margin, within a band. So I am not sure where that comment would have come from. Also, the Member for Oropouche West said something that completely blew my mind. He said that Government could borrow money without explaining how it was to be repaid. Madam Speaker, let me assure the population that that is completely impossible. There is no multilateral lending agency that would give this country money without us having to explain exactly what it will be used for, its purpose, and exactly how it will be repaid, Madam Speaker. So the population can rest assured.

Madam Speaker, clause 11. Clause 11 deals with the Development Loans Act, while 13 to 18 deal with the removal of interest penalties on outstanding payments, tax payments, sorry, if paid between the period 5th of July, 2021, to September 17, 2021. Clause 11 says:

“...the Bill would amend section 3(1) of the Development Loans Act, Chap. 71:04, to increase the sum of money that the Government of Trinidad and Tobago is authorised to borrow for the purpose of, *inter alia*, financing general development in Trinidad and Tobago to a sum not exceeding in the

aggregate sixty-five thousand billion dollars.”

In other words, it seeks to amend this clause to raise the ceiling and borrowing for the Development Loans Act from 55 billion to 65 billion, Madam Speaker. Developmental loans are for various purposes:

- “(a) financing general development of Trinidad and Tobago;
- (b) repayment of borrowings effected for such general development; or
- (c) repayment of borrowings effected for general development—
 - by a statutory authority...
 - by an enterprise...controlled by or on behalf of the State; or
 - ...the University of the West Indies.”

Madam Speaker, we have made it abundantly clear that this Government intends to invest in the economy of Trinidad and Tobago, invest in our infrastructure, invest in our people. That is a policy being used by Governments all over the world to recover from this global economic downturn due to the COVID crisis. If the Member for Oropouche West was familiar with such an economic policy he would understand exactly what we are doing. We are improving our revenue generation while also improving our tax collection, Madam Speaker.

Madam Speaker, we have received quite a bit of advice from various international agencies, multilaterals, and other experts. We have received advice from United Nations Conference on Trade and Development, from the World Bank, and also from the Inter-American Bank, Madam Speaker, and also from the IMF. We have heard various economic commentators say publically that Trinidad and Tobago should turn to the IMF for funding. Madam Speaker, what is strange about that is that even the IMF has said that countries like Trinidad and Tobago should not turn to the IMF for funding at this time. Countries that have the capacity for relatively low interest borrowing should continue to do so to spend their way,

or invest their way sorry, out of this global economic downturn.

4.30 p.m.

Madam Speaker, we have to keep in mind that countries or these multilateral agencies are a lot more familiar with dealing with global downturn economic crises because of what happened in 2008 with the global credit crunch, Madam Speaker, so they understand what is going on. They understand the damage that austerity measures can do, not just to the economy but also to the social fabric of a country, so Trinidad and Tobago will not be looking to the IMF for funding anytime soon.

So yes, Madam Speaker, going to IMF for funding also comes with certain stringent measures called austerity measures and as I said earlier, these austerity measures have the ability to damage not just the economy but the social fabric of Trinidad and Tobago. We had a particular incident in Greece where the IMF publicly apologized to Greece in 2013 for the destruction that such austerity measures did to the economy of Greece, Madam Speaker. Trinidad and Tobago has a relatively high credit-rating; we are an investment grade country. Investment grade means that we have a capacity to repay our debts, so as I said earlier, we could not borrow money without stating exactly how it would be repaid and for what purpose we are borrowing. That is simply untrue.

Madam Speaker, I move on. Clauses 13 to 18 remove the interest penalties on outstanding tax payments if paid between the period 5th of July, 2021, to 17th of September, 2021, and I will now list the various tax classes which fall under this amendment. Madam Speaker, outstanding payments or interest payments owed on income taxes; outstanding payments on unemployment levy; outstanding payments on health surcharge payments; outstanding payments on value added tax, VAT; outstanding payments on stamp duty, and also outstanding payments on property taxes. Yes, this is designed to, one, improve revenue collection but also to offer a

sense of relief to a population that we understand is struggling right now with the financial realities brought on us by this global economic downturn due to the COVID-19 crisis.

And earlier, the Member for Oropouche West spoke about taxation and I really wanted to mention that all taxation is not just meant to increase revenues. I think it is a bit misplaced on his part to say that and to believe that. It is also used to counter negative externalities in terms of dealing with behaviours that we believe are not conducive with a healthy society and that is why some of those tax procedures have been implemented.

[MR. DEPUTY SPEAKER *in the Chair*]

I would like to close today by making a short statement. Today marks the fifth anniversary of my father's passing. I would like to publicly thank the people of Trinidad and Tobago and especially those of the great constituency of San Fernando East for the outpouring of love and support my family and I have received. Today is a difficult day for us as a family. In his memory, I recommit myself to working with my colleagues in the service of the people of Trinidad and Tobago and to the accomplishment of our collective goal of achieving developed country status. That is vision. Mr. Deputy Speaker, together we aspire and together we shall achieve. Thank you so much. [*Desk thumping*]

Mr. Deputy Speaker: I recognize the Member for Mayaro.

Mr. Rushton Paray (Mayaro): Thank you very much, Mr. Deputy Speaker.

Mr. Deputy Speaker: And 20 minutes, Member.

Mr. R. Paray: Sure. Mr. Deputy Speaker, thank you for allowing me an opportunity to join in this Finance Bill, 2021. The measures contained in these provisions are of particular interest and concern to this Member of Parliament and the constituency of Mayaro. Mr. Deputy Speaker, the reason for that is there is a

large land footprint and the rural location of our constituency would definitely be directly impacted by, if allowed to happen, indiscriminate overpricing of fuel products if this new regime as explained by the hon. Minister is not established properly, monitored, evaluated and necessary penalties are imposed.

Mr. Deyalsingh: Mr. Deputy Speaker, Standing Order 55(1)(b). The Member for Tabaquite went through the rural community and the gas liberalization at length, ad nauseam and here we are again. [*Crosstalk*]

Mr. Deputy Speaker: Okay, Members on both sides. Can I? Again, Member for Mayaro, I know you have now started your discourse so kindly proceed and we will see where we end up.

Mr. R. Paray: Thank you. Suffice it to say, Mr. Deputy Speaker, as the MP for Mayaro, it is important that I put the position of the constituents of Mayaro clear in my contribution [*Desk thumping*] because I am representing their interest. And I mean, without further going into too much detail on that, the issues of the impact of the availability of gas stations and so on in rural communities will pose a serious interest and I would ask the Minister to please stay focused and attend to that clearly as they proceed.

Mr. Deputy Speaker, one of the issues that you would find in terms of a bit of challenges when you are dealing with this petroleum tax is the fact that retail transport fuel suppliers in some rural communities—you know, you would leave the pricing at the mercy because of too few suppliers and again what we have to prevent, it is really indiscriminate pricing regimes which I feel will be the biggest issue that we are going to ask the Government to pay close, very close attention to.

Mr. Deputy Speaker, I want to just bring in the budget address of November 05, 2020, when the Minister warned that if the price of oil recovers, the price of gasoline and diesel will naturally increase proportionally. Well since that

statement, the price of oil has spiked and international energy experts are predicting about US \$80 a barrel for oil or even higher. Mr. Deputy Speaker, over the past six months alone, the price has gone up by over 40 per cent. A price hike that has been mainly driven by a lot of economies that are now and slowly opening up as the COVID-19 pandemic comes to some rationale and these economies are reopening.

Mr. Deputy Speaker, there is a gentleman who made a statement on the CNBC programme on June 02, 2021, in an article and it was headlined:

“It could be a hot summer ahead for oil prices”

Mr. Blanch. His name is Mr. Francisco Blanch, he is a representative of OPEC and this is what he said:

“We think in the next three years, we could see \$100...”—price per barrel of oil—“again...”

Now, Mr. Deputy Speaker, that prediction really makes the Finance Minister’s warning timely and a source of great concern as well. Trinidad and Tobago is heading into really uncharted territory with the removal of these fixed profit margins on fuels especially at a time when the economy has been badly wounded by the COVID-19 pandemic and the Government’s basically mismanagement of the entire economic infrastructure over the period of their administration.

Mr. Deputy Speaker, the state of the economy is markedly worse off today than when the Minister made that announcement last October. So, any sort of mishandling of a liberalized market place could lead to huge increases in the cost of living and further hardships to the country and in particular, the common man on the ground. Mr. Deputy Speaker, the Government by this Bill today is bringing an end to almost 50 years of a fuel subsidy and this must be handled appropriately to ensure price stability and to protect consumers and safeguard the interest of all

consumers in the fuel market. Mr. Deputy Speaker, to accomplish this, it would require quality leadership, a commodity that is in rare supply by my colleagues on the other side. As was initiated before, the price of diesel is of great concern because that would have a fall-off impact on so many other aspects of the economy and again, I would urge the Minister to pay close attention when they are putting the regulations that are going to be managed in the pricing of these things going forward.

Mr. Deputy Speaker, I want to just go through a bit of the Bill itself. The amendments today, what they are doing in terms of 9 and 10, they are really interfering with the Petroleum Production Levy and Subsidy Act, Chap. 62:02. Act No. 15 of 2019 had several amendments to that Act and that would have brought in issues like the ex-terminal price formula for arriving at the price of the petroleum product, they brought in the concept of the wholesale and retail price calculation and so on. Today, the Minister has laid a Finance Bill and again, further amendments are coming to deal with the issue of this fuel subsidy levy and a number of other changes that they are bringing to this particular Act.

But, Mr. Deputy Speaker, there are a couple of issues that are arising when one reads the changes that the Minister is proposing to get passed in this House today and in general, the issue of price fluctuation and the negative impact of price fixing raises some serious issues to me which I would want to just briefly talk about. Mr. Deputy Speaker, no change in my reading of the amendments were made to the terminology of section 5 of the parent Act where price-fixing orders can be made by the Minister in accordance with section 31 of the Petroleum Act. In fact, the Minister retains the power to fix prices by order under section 31 of the Petroleum Act. The only changes the Government proposes to section 31 of the parent Act are in the terminology by adding the terms “marketing business” and

“trading business”.

Mr. Deputy Speaker, we understand that there will be some price fixing at the wholesale level which the Minister alluded to, however, the question holds as to whether this section was retained to allow the price fixing at the pump to final users of fuel which the Minister did allude to that he claimed that some intervention can be made at any point in time when the international price gets particularly high. So at some point in time, I see that the Minister may interject at that level.

Mr. Deputy Speaker, given the regime of price fixing that is in existence at the moment, a couple of questions come to my mind which hopefully the Minister can answer in his wrap up. Given the price that the refined petroleum products would have been fluctuating annually from 2019 to date, I would like the Minister to indicate whether or not there was a net surplus in respect to the application of the subsidy. I want to ask the Minister as well, in a deregulated market environment, would there be an opportunity for prices to freely float? In other words, would there be competition on the basis of price? Will there emerge the formation of cartels which my colleague from Tabaquite alluded to because that is a serious concern, especially for operators in rural communities?

The question I have to ask the Minister: What legislative measures are we exploring to prevent this from happening at some point in time in the future? Mr. Deputy Speaker, should this competition on the basis of price be the reality of our market here, in law, where do we stand with the powers of the Minister to fix these prices at some point in time? Do the licences issued empower gas station operators to import fuel from any international source or are they going to continue to purchase from Paria? These are real questions, Mr. Deputy Speaker, that those who I have spoken to in the last week or so in the run up to this debate, these are

questions that they have asked that, you know, we bring to the floor here in the Parliament and hopefully someone answers.

The players in all of this, Mr. Deputy Speaker, obviously will be the current Paria who does the purchasing of the fuel and so on. You have Heritage that is doing the exploration side of the business and so on. So given that Paria Trading does not refine petroleum and will be importing fuel, a few questions arise here now. Where are they buying the gas from? Is the relevant due diligence being done based on the markets that this fuel is coming from? We had issue some time ago with issues where the conversations around sanctions came up. I would like to be convinced that as we liberalize this market, these agencies are doing all their due diligence to make sure that we do not run afoul of any international agreements and memorandums of understanding that we have signed on to.

Mr. Deputy Speaker, in the bulk sale of energy products, there is a conversation about transfer pricing which is an accounting medium which allows you to duck taxes. I am asking, Mr. Deputy Speaker: Has the issue of transfer pricing being taken into consideration at this level? Because this is something that we would have to stamp out very early in the game so I am hoping that the Minister would pay some attention to that as well. Mr. Deputy Speaker, are there any anti-competitive laws, cartel laws to treat with this eventuality? Mr. Deputy Speaker, this, deregulation, will be left via to a Minister's order. What is proposed, in my respectful view, is a very narrow legislative amendment that has been put forward.

Additionally, this whole concept of price setting because on one hand, we have the Government—you know, you are talking about a laissez-faire market, you are allowing operators to set their prices and let the economies of scale and competition find a price and then we are putting back systems in place to set

prices. So it seems counterproductive in terms of the language, in terms of what is being said in terms of what is actually going to happen at the end of the day.

So, Mr. Deputy Speaker, price setting in the context of what we speak about here today needs to be addressed and I believe that all stakeholders must be involved: big business, SMEs, NGOs, FBOs, environmental groups, consumer advocacy groups, legal bodies, your petroleum dealers association, your gas station owners, small vendors, even our fishermen should be involved in that discussion if we are going to find a mechanism to create this sliding-scale mark up or price margin to which the Minister alluded to in his delivery.

Mr. Deputy Speaker, clarity is also needed to determine where the mechanism to fix the price is set. The Government will earn their 5 per cent levy whether the price is high or low, we understand that. However, the consumer will have to wait on clarification from the Government on what that price mechanism is going to be that is going to label the price at the pump.

Mr. Deputy Speaker, this Bill proposes a legislative shift that allows something to be put in place but there is nothing that lies behind that which will provide clarity as to what will be the regime for price setting. In other words, in my respectful view, there appears to be a lacuna or at least where there will be a laissez-faire approach and then you have the conversation of setting price margins on a sliding scale. Mr. Deputy Speaker, apart from fines and penalties for not paying the levy, there is no guidance on the mechanisms that may be issued later from the Government possibly via the Minister's Order.

Mr. Deputy Speaker, if we were to look at clause 10(k) which gives a new section 11A, that is the clause which introduces the new mathematics, the formula for setting the price schemes for the fuel levy and so on. I have a few issues that come out of that as well. And very quickly, I would like to ask: Given the fact that

Paria Trading has no competitor in the market, basically it is a virtual monopoly, this is not a company that is selling the—you know, they are not selling the refined crude, they are importing to resell at the end of the day. We have seen where the purview of the Office of the Procurement Regulator has been a bit watered down by this administration. Therefore, there is no reason for the public to trust that Paria Trading imports would not suffer inflated prices due to self-serving actions of an agent. This much is actually possible.

Mr. Deputy Speaker, why then should citizens be tethered to Paria Trading? They are not trading in local refined crude, there is no guarantee that the fuel will be of the best quality if they are looking for low prices and so on. And the example that I have, Mr. Deputy Speaker, is that the quality of the diesel that we are importing today, it is not the best diesel for a lot of the new diesel vehicles that we have on the market today. If you look at the challenges that we are having with some of the boats, the naval vessel that requires the US LSD diesel, that is the low sulphur diesel. Many of the high-end diesel vehicles right now today require that as well. So why are we still importing that? So that is an example of not getting the best because a monopoly has been formed at the end of the day. Mr. Deputy Speaker, the only thing that is guaranteed is that the price coming out of Paria will be the highest possible since Paria Trading exists in the safety of a monopoly with no need to be efficient and to protect their market share.

Mr. Deputy Speaker, the nature and supply of demand econometrics is that if we empower the petroleum dealers, we can have universal access to more competitive pricing, quality of product, security of supply. Paria's monopoly, it is going to put us in a backward position and the consideration of bulk purchasing on the international market by other players will be important to strengthen the market and to be able to bring some fairness and equity in the industry.

Mr. Deputy Speaker, the last item that I want to speak quickly about is the issue of where this levy is going to go and as mentioned by the Member for Tabaquite the fact that it is going into the Consolidated Fund, I have some queries on that. Because you know, Mr. Deputy Speaker, it removes the oversight of the Ministry of Energy and Energy Industries who is the regulator of all energy industries. And in so doing, it also removes the oversight of many auditing bodies including the Auditor General from having scrutiny of the bills and receipts. So, Mr. Deputy Speaker, I put it to my colleagues in this honourable House that this will be a very contentious constitutional issue because this money is going into the Consolidated Fund with very little scrutiny.

Mr. Deputy Speaker, these funds acquired through that levy, I respectfully submit that the Government should really have it separated and consider using it in infrastructure, infrastructure projects to improve our transportation network, our roads and so on, so at least at the end of the day, we can see some value in terms of the levy. So even as the price toppers at the higher end, the motoring public, the citizens of this country can still see some value with the improvement in the road network, the transportation network as, you know, what most of us would like to see.

So, Mr. Deputy Speaker, I want to thank you for the opportunity. I think the Bill really is—you know, it puts the country in a position where the Government continues to look at opportunities to tax and fine and as I can say, my colleagues would have spoken on the borrowing issue and we continue to be subjected to intense pressure by the manoeuvres of this Government. So with those few words, Mr. Deputy Speaker, thank you very much. [*Desk thumping*]

The Minister of Housing and Urban Development (Hon. Penelope Beckles-Robinson): Thank you very much, Mr. Deputy Speaker. I wish to thank you for

the opportunity to contribute to this debate on the Act to make provisions of a financial nature and for other related matters as moved by the hon. Colm Imbert, Minister of Finance.

Mr. Deputy Speaker, let me say at the outset so that I can probably clarify some of the statements that I am hearing. What is taking place here this evening is that the provisions of this Bill were among those announced in the Minister of Finance 2021 Budget presentation and we all recognize that it is being moved against the backdrop of the socio-economic hardship being experienced globally as a result of this coronavirus pandemic. I wish to take this opportunity to congratulate and thank the hon. Minister of Finance for his prudent management of our economy [*Desk thumping*] and in bringing much-needed relief to our citizens during these challenging times.

Mr. Deputy Speaker, you would have heard several Members, including the last speaker talk about tax pressure, talking about mamaguying the public, mamaguying farmers, talking about punishing the poor. Mr. Deputy Speaker, when one listens to the hon. Minister of Finance, those statements are totally misleading and false.

Mr. Deputy Speaker, I propose to address clauses 2, 3, 6 and 7 and in so doing, I want to refer to certain statements that were made by the hon. Member for Oropouche West when he indicated that in these provisions, there is nothing here to safeguard farmers and he referred to the fact that his constituency is one of the bread baskets of Trinidad and Tobago. Now, Mr. Deputy Speaker, if I could refer to clauses 2 and 3 which increase by 200 per cent the penalties for praedial larceny under the Praedial Larceny Prevention Act, Chap. 10:03, and also to amend section 23(1) of the Summary Offences Act, Chap. 11:02, again, to increase by 200 per cent the penalty for praedial larceny.

Now, Mr. Deputy Speaker, I have the good fortune to represent the constituency of Arima and I know that the farmers of Arima are extremely satisfied with these measures brought by the hon. Minister of Finance. And like Oropouche West, I consider Arima to be one of the bread baskets of Trinidad and Tobago, and I know that as a Member of Parliament, in having discussions with the farmers in Arima, those from Wallerfield and environs, because in the constituency of Arima, we are talking about farmers involved whether it be in the poultry industry, whether it is pork, beef, in Wallerfield also, just about everything, whether it is fresh produce of “pakchoy”, “bodi”, tomatoes, and if I can also talk about the Northern Range, the areas of the Heights of Aripo with the water cress as well as areas like Lalaja that produce probably the biggest pimentos in Trinidad and Tobago.

One of the issues in speaking with the farmers is the issue of praedial larceny and I would find it very difficult if there is any Member of Parliament here today who have not heard about the challenges faced by farmers, not just in Arima, in central, in south, in many parts of Trinidad and Tobago. We must understand and sympathize with the challenges that farmers face. I mean, just think about it. You are just about ready to harvest your products, whatever it is—avocados, coconuts—anything that you have planted, you have invested, you have taken a loan and you are just about to harvest, only to get up one morning and to find that somebody has totally cleared your “pakchoy” field, your tomato field, your “bodi” field.

5.00 p.m.

You know that for Christmas you have your pigs and you are waiting there because, for months, that is the time that you are going to sell your pork, sell your animals. And in the night, they not only come and steal your animals but, in many

instances, they also rob, rape and plunder.

And in many constituencies, but I could speak of my own constituency, of farmers that have totally given up farming, abandoned their farms because of persons who are not just insensitive but continue to lead a life of criminal activity, going to farms when people have worked for months and years and just destroying people's farms and stealing every single thing on those farms.

So I find it very, very difficult to understand that some of my colleagues on the other side do not appreciate that by increasing these fines by 200 per cent, exactly what the Minister of Finance is doing today. But I want to say that I totally and absolutely support and I know that the farmers in Arima, those who live on the northern range, especially those in Paria and Morne La Croix, but I say Wallerfield in particular because I know that is one of the areas that the thieves have been consistent in denying the farmers the kind of life and benefit that they are entitled to, based on the sacrifices they have made over the years to feed their families.

The agricultural sector, it is not cheap to purchase seedlings and to ensure that you—to purchase farming implements, it is not cheap. And, therefore, what this Bill is seeking to address is to deal with those persons who do not care at all about the farmers who have invested for years and years in the agricultural sector to feed the people of Trinidad and Tobago. And we know, more than anything now during this global pandemic, how important the agricultural sector is. We have always known, but even now it is more important and we know that the issue of food security all over the world, how important it is.

And I want to acknowledge the work, as well, of the Minister of Agriculture, Land and Marine Resources and NAMDEVCO—[*Desk thumping*]*—*who have ensured that all Members of Parliament, all Members of Parliament, on a monthly basis, have been able to receive agricultural products that they can distribute to

their constituents, and I want to place that on record.

Mr. Deputy Speaker, so that I find it very difficult and I want to say that sometime ago I know the University of the West Indies did a survey, some research, speaking with farmers and at least 43 per cent of the farmers reported loss of agricultural produce, farm implements. And so that is almost one in two, and I am certain that every single Member of Parliament here knows a farmer who has been the victim of persons stealing their products. Mr. Deputy Speaker, you know, what is painful about it, it has reached to the stage where some are going in broad daylight. While the farmers are actually in the land planting, harvesting, you are hearing that people are pulling up with guns.

Therefore, this increase in fines, I mean, yes one could say that increasing the fines does not necessarily translate into the reduction. But as many of the other speakers said, that is the right way to go. That is a step in the right direction. And there is the Praedial Larceny Squad and I recall that a couple months ago, the Minister of Agriculture, Land and Marine Resources also indicated that he has increased the resources so that if we increase the penalties and we also increase the number of persons in the Praedial Larceny Squad, then it means that the Government is going in the right direction. And as I said, I totally and absolutely support this measure.

Mr. Deputy Speaker, so now I want to talk a little bit about the issue of illegal quarrying. Now again, I speak about it from the context of someone who lives in a constituency where, in Arima, my constituents have been continuously complaining about this illegal quarrying. It also results in flooding. And there are some persons who are actually going onto agricultural land and quarrying. So I find it difficult for anyone not to understand, again, that by increasing the penalty by 200 per cent, I find it difficult that people will have an objection and/or to find

that the Government is not doing enough.

Mr. Deputy Speaker, I have passed through my constituency and I have seen, particularly on the Blanchisseuse Road in the constituency of Toco/Sangre Grande, and many of us pass there, whether it be on the way to Sangre Grande, whether you are going to Matelot or you are going to Grande Riviere, you pass and you see. And I have heard several speakers talk about the issue of road repair, but it is these same persons who are quarrying and mashing up the road that results in the inconvenience for residents. And you have to deal with the dust. And many of them just do not care.

I want to say that I support this initiative. I also want to say that, as it relates to clause 7 that speaks to disqualifying persons from engaging in the construction of projects funded by the Government of Trinidad and Tobago, clause 7 speaks to that. So it means to say that the message is being sent clear that if you want to remove from state lands in contravention of the Act, you would not be entitled to be engaged in the construction of projects, and I want to say, as the Minister of Housing and Urban Development, I am extremely pleased and I think that is the right signal that should be sent to persons who want to be involved in quarrying to go and sell the material that you have taken illegally from the State and you want to go and sell it to the State, and you then also want to come and ask the Government for contracts. Again, I want to congratulate and acknowledge the work of the hon. Minister.

So, to say that we want to punish poor people—but it is specific, the Minister is very clear about who it is you want to punish. You want to punish people who are involved in illegal quarrying. You want to punish people who are involved in praedial larceny. That is very clear. [*Desk thumping*] And very little mention is being made that that is where the punishment is.

Now, you want to talk about taxes and increases in taxes and taxes. No mention has been made about the amnesty as specified by the hon. Minister of Finance. No mention is being made about that. The Minister of Finance was at pains to point out the benefits of the amnesty that previously existed in 2019. And I find it very difficult that there is no understanding that there is actually a recognition by the Government that we are in challenging times. It is a recognition that many businesses have been closed and, therefore, the issue of profit does not exist for many businesses. And that is why the hon. Minister of Finance speaks about the issue of the amnesty. And, again, I totally support the initiative.

The last one I want to speak about is the issue of clause 6 because clause 6 speaks to the amendment of sections 35, 36 and 37 of the Children Act and to increase by 200 per cent the penalties for offences relating to children and dangerous drugs or a substance having an effect similar to that of a dangerous drug. Now, Mr. Deputy Speaker, why am I supporting this? We know that over the years there are persons who have developed a propensity to use children, to use children for the purposes of purchasing drugs, to use children for the purposes of purchasing alcohol. And this is a clear signal that the Government of Trinidad and Tobago is sending to those persons who have developed those propensity and do not understand that when you encourage children from an early age to get into drugs and to get into alcohol, what is the message that you are sending to those children? What is it that you are actually saying to those children? And, therefore, I find it difficult again that there would be a challenge in terms of supporting these initiatives.

So, Mr. Deputy Speaker, with those few words, I want to say that I totally support the initiative of the hon. Minister of Finance. Thank you very much. [*Desk thumping*]

Mr. Deputy Speaker: I recognize the Member for Couva North.

Mr. Ravi Ratiram (*Couva North*): Thank you. Thank you very much, Mr. Deputy Speaker, for this opportunity to contribute to this debate on the Finance Bill, 2021, a Bill which seeks to amend 18 pieces of legislation, presented by the Minister of Finance.

If I have to summarize this Finance Bill, Mr. Deputy Speaker, one word comes to my mind, it is “penalizing”. [*Desk thumping*] And instead this Bill titled the Finance Bill, this Bill should have been the “Penalizing Bill”, because all it seems to do at this point in time, Mr. Deputy Speaker, is penalize the citizens of Trinidad and Tobago for the Government to enjoy their prosperity and for the Government to proceed with their mega projects, not taking into consideration the hardship and the difficulties that our citizens are facing, Mr. Deputy Speaker.

Mr. Deputy Speaker, I want to move into the content of this Bill and I want to start off by looking at the first set of clause, which deals with the Praedial Larceny Prevention Act and the summary offences that touches on praedial larceny, and I want to make reference to an article in the *Express* newspaper by a former Government Minister, Mr. Ralph Maraj. It is dated October 17, 2020, and I quote:

“As revealed in the recent budget statement, Prime Minister Dr. Keith Rowley and Finance Minister Colm Imbert want agriculture to ‘take’ its rightful place as a major activity in our new economy’. They are placing ‘expansion of our domestic food supply at the top of our national agenda’.
 Am I dreaming?!...”

And this is what Mr. Ralph Maraj is saying. Because it sounds like a dream. It does not sound like reality. The article continues:

“For the past five wasted years, these two fossil-fuel devotees spurned the

sector. Rowley declared we didn't have enough land in this country for commercial agriculture; and Imbert gave it no priority in his five budgets of almost \$250 billion."

Mr. Ralph Maraj went on to address issues in agriculture and praedial larceny. He says:

"Rowley and Imbert would never acknowledge their neglect of agriculture. They blamed everything else: 'the structural impediments inherent in the sector'; 'problems with renewal and granting of land leases', 'cracked will power of farmers and farming families'... 'lack of investment in the infrastructure and innovations, 'weather fluctuations', 'unpredictable global market conditions' and 'plant and animal disease and pests'. But they scandalously did nothing about these issues for the past five years."

It continues.

"They couldn't even tackle praedial larceny which has perennially plagued the sector. Over 100 farmers in South Trinidad are at present having large quantities of livestock and poultry stolen. Farmer Fee Mohammed says, 'the Praedial Larceny Squad does not have the resources to fulfill their duty.'

"Derek Laurencin said, "they have one vehicle for the whole of Barrackpore, Penal, Debe straight to Cedros. Imagine, they don't work on weekends. You call and there is no answer.' The agriculture minister admits the squad 'is not equipped' to deal with the situation. But Rowley and Imbert now talked of 'precision agriculture', 'indoor vertical farming' and creating 'an agribusiness ecosystem'. High-sounding emptiness."

Mr. Deputy Speaker, and those are the word from Mr. Ralph Maraj, a former Government Minister, of how he sees this Government treating and dealing with praedial larceny and issues surrounding the agriculture sector. The President of the

Agricultural Society of Trinidad and Tobago, Mr. Darryl Rampersad, he also spoke out earlier this month, on Sunday the 6th of June, 2021, in an article published by the *Newsday* newspaper titled, “Chairman: NAMDEVCO not hand-picking farmers for food basket programme”. And in this article, Mr. Deputy Speaker, Mr. Darryl Rampersad is stating:

“While farmers range with NAMDEVCO over prices, thieves are picking away at their produce. Rampersad said with the threats of a floods affecting harvest, the prices of some produce increase and attracts thieves. He said he has been working closely with the Praedial Larceny Unit of the Ministry of Agriculture...

‘As far as I am aware, I have received several phone calls’—that—“there have been an increase in praedial larceny. Throughout the pandemic farmers have been asking me if there is a curfew how come we are losing produce.’

According to statistics provided by the police...there were 132 reports of praedial larceny in 2018. The following year there was an increase by four with 136 reports.”—and—“Last year there were 175 reports...”—of praedial larceny.

These statistics presented by the Agricultural Society of Trinidad and Tobago. And while conducting by research on praedial larceny, I recognized that San Fernando, there was a voice coming out from San Fernando, Joel Quintal from San Fernando who also wrote a letter to the editor, which was published by the *Newsday* newspaper on the 11th of June, Friday, 11th of June, and he was responding to, apparently, the Attorney General, most likely his Member of Parliament. “‘Best Carnival’ cannot help us at this time”. This article praedial larceny published by the *Newsday* newspaper states, and I quote a section of it:

“The Government might really feel a need to distract the people from reality,

because of the bleak”—nature—“that awaits us. In the face of many negatives such as the failure of industry and commerce, rampant unemployment and the pandemic, together with some questionable government policies, Carnival cannot help us. The”—first—“nail was the killing off of our cottage industries and vending for the poor man. Even agriculture has been put in danger, with no subsidising and significant—”
[*Interruption*]

Deputy Speaker: One second. One second.

Mr. Al-Rawi: I rise on Standing Order 48(1), Mr. Deputy Speaker. Not even anchored in a clause in the Bill?

Mr. Deputy Speaker: Overruled.

Mr. R. Ratiram: Thank you very much, Mr. Deputy Speaker, as I wrap up the contribution from San Fernando.

Mr. Deputy Speaker: Please, please, please, Members. I have ruled. I have ruled.

Mr. R. Ratiram: Thank you very much, Mr. Deputy Speaker. And the voice of San Fernando, which apparently the Attorney General did not want to hear, this gentleman, Joel Quintal from San Fernando published in the *Newsday*, stated:

“Even agriculture has been put in danger, with no subsidising and significant praedial larceny.”

Mr. Deputy Speaker, while we look at praedial larceny, we review the reported case and the detected case over the last five years. And in a report here, dated the 15th of May, 2020, from the newsroom of 103.1 FM, the finest:

“Praedial larceny: 457 cases reported, 123 detected in five years.”

“Of the 457 cases of praedial larceny reported over the past five years, only 123 have been detected by police.

103.1 FM news has received these statistics from the TTPS Crime and

Problem Analysis Branch.

Detection peaked in 2017 with 28 cases and subsequently plateaued at 26 in 2018 and 2019.”

The article continues later on to state:

“However, one farmer told us yesterday that he believes only around 50% of incidents are reported as there is a lack of confidence in the Praedial Larceny Squad.”

Mr. Deputy Speaker, as we look at what this Government is proposing to increase penalties with praedial larceny and clearly losing sight and losing vision of the fundamental issues and problems surrounding the agriculture sector, I turn to the *Third Report of the Joint Select Committee on Land and Physical Infrastructure*, dated February 2018, “An inquiry into the strategies of diversifying the type and number of agricultural commodities produced locally” .

I go to page 15 of this report, Mr. Deputy Speaker.

“Recommendations to address the challenges faced by the MALF and the major stakeholders in the agricultural sector in attempting to increase crop diversity.”

And it is here, since February 2018, Mr. Deputy Speaker, that this Parliament was fully aware of the recommendations, and go I go into the recommendations.

“We recommend that the Ministry of Agriculture, Land and Fisheries collaborate with the Municipal Corporations regarding the use of its services to assist with praedial larceny issues.”

It also recommends, on page 15:

“We also recommend that the Ministry of Agriculture, Land and Fisheries seek collaborations with Public/Private Security Companies to curb praedial larceny issues.”

The final recommendation here:

“We recommend that the Ministry of Agriculture, Land and Fisheries implement an incentive for farmers to assist with the cost of obtaining security cameras and other technological security tools such as drones to assist with praedial larceny.”

Mr. Deputy Speaker, the challenges in achieving the greater diversity that this report speaks of and presented by NAMDEVCO, NAMDEVCO submitted that it faces the following challenges with increasing the output of farmers and achieving greater diversity. And item 4 of the challenges, again, is the lack of land tenure and land availability. And item 5, praedial larceny, greater praedial larceny laws and patrols needs to be implemented to alleviate such.

Mr. Deputy Speaker, we heard of the statistics of how praedial larceny continued to increase. And since 2018, February 2018, this joint select report has been laid in the Parliament and from then to now, Mr. Deputy Speaker, it is clear that this Government is sleeping at the helm, because it refuses to implement— [*Desk thumping*]—the recommendations coming out of that Joint Select Committee, Mr. Deputy Speaker.

But today, what we hear is the Minister of Finance is standing here and talking about how we go about penalizing the citizens of Trinidad and Tobago during this turbulent time, where hundreds and thousands of persons have lost their jobs, have lost their salary, have lost their business, Mr. Deputy Speaker.

But moving on to—

Mr. Young: Mr. Deputy Speaker, Standing Order 55(1)(b). That line in the speech today is repeating and repeating, the speech that “yuh does get in de back room,” it is that line, so 51(1)(b), please, 55(1)(b). Not only is it irrelevant but it is also tedious repetition.

Mr. Deputy Speaker: Proceed, Member, proceed.

Mr. R. Ratiram: Thank you very much, Mr. Deputy Speaker. It appears as though the Member does not want to hear about the failures of this Government. [*Desk thumping*]

Mr. Deputy Speaker, moving on with my contribution, I want to bring to your attention, Sir, that on the 6th of June, Sunday the 6th of June, the *Guardian* newspaper reported that “Thieves raid Bon Air farms during curfew” hours, and the article states:

“The nationwide curfew which aimed at keeping citizens inside during the third wave of the COVID-19 pandemic is not working in favour of several Bon Air, Arouca, farmers who are under siege by thieves who continue to religiously raid their farms during lockdown hours.

President of the Bon Air East Farmers’ Association Frank Ali, who represents the five affected farmers,...

—in this incident that was reported here:

“admitted that since the imposition of the eight hour curfew and State of Emergency...last month his members have been under regular attack by criminal elements.”

He says:

“Ali strongly believes other farmers may have been targetted by the roaming thieves, but have not made official reports to the association. The farmers who were targetted did not even report the matter to the police or the Praedial Larceny Squad because no one is ever arrested and they are frustrated.”

Later down in this article:

“The Director of the PLS, acting Supt Murchison Alexis told Guardian Media that his officers have been patrolling agricultural areas. ‘Remember a

patrol is drive-by. If you planning to thief something and we drive by...when we gone...you would still thief it. So we don't have static patrol. Trinidad is a very big place.”

It sounds like a certain level of hopelessness coming from the Director or Praedial Larceny at this point in time, Mr. Deputy Speaker, because of the amount of incidents that are happening outside there.

The director is speaking out on the difficulty to prevent the occurrence of praedial larceny at this point in time. And again, it is because of the hardship that the citizens of Trinidad and Tobago are facing. And again, it is because of the failure of this Government to improve the quality of life of our citizens. [*Desk thumping*]

Mr. Deputy Speaker, I want to move on swiftly to clause 2(a) of the Bill before us here which speaks of amendment to the Praedial Larceny Prevention Act, specifically section 3(8) of the Act. And if we go to the Praedial Larceny Prevention Act, the parent Act, section 3(8) speaks of, and I quote section 3:

“This section does not apply to persons who have been registered as farmers and issued with a valid Farmer’s Registration Card.”

Subsection (8) of this says:

“A person who is required under this section to be registered —

- (a) sells, trades in, deals in, supplies or otherwise disposes of agricultural produce or livestock of the weight of twenty-five kilogrammes or more without a valid certification of registration issued in accordance with subsection (5); or
- (b) fails to comply with subsection (7),

commits an offence and is liable of summary conviction to a fine of seven thousand, five hundred dollars and to imprisonment for one

year.”

What is being proposed is an amendment to increase this fine from seven thousand, five hundred, to twenty-two thousand.

Mr. Deputy Speaker, however, when we look at what this is really saying, is that persons who sell agricultural produce, who trade agricultural produce and are not registered—

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

Mr. R. Ratiram: Thank you very much, Mr. Deputy Speaker. And are not registered, runs the risk, well according to the Act, is guilty of committing an offence. Mr. Deputy Speaker, there are hundreds of persons in the country today who have been setting up shops of market produce and selling market produce, picking from in the backyard, selling in the front yard. And what this piece of legislation is saying is if these persons are not registered as farmers, they are guilty of an offence.

Mr. Deputy Speaker, we recognize how difficult it is for persons to become registered as farmers. We have brother Shiraz Khan reported here saying many farmers on state land are not registered. He himself, who is a known farmer with goat and sheep, and so forth, has not been able to register because of the land tenure issues that many farmers are facing.

5. 30 p.m.

Mr. Deputy Speaker, moving on swiftly into clauses 9 and 10 which deal with the liberalization of the fuel market. The fishermen of Trinidad and Tobago, Mr. Deputy Speaker, have been faced with the challenges of the shutting down of Petrotrin and the lack of supply of regular gas, regular fuel. And they were forced, Mr. Deputy Speaker, to utilize super to ply their trade.

Mr. Deputy Speaker, this Government has caused the price of Super to

increase, not once, not twice but three times [*Desk thumping*] making the price—the cost for the fishermen to ply their trade exorbitant. And we saw reported in a *Guardian* article dated December the 17th, 2018, by Radhica De Silva:

“Fishermen are planning to protest outside of the Office of the Prime Minister next week because regular gas is no longer available in the country. Vice-President of the Claxton Bay Fishing Association Bhadase Sooknanan warned that without regular gas, the fuel used in the outboard engines of their boats, the local fishing industry will be obliterated. Sooknanan, who owns two boats and employs five people, said he used to spend \$200 on gas for one fishing trip but...” —now—“cost will increase to \$500.”

[MADAM SPEAKER *in the Chair*]

So, what we see happening here is significant penalties for our citizens and—

Madam Speaker: Your speaking time is up, Member.

Mr. R. Ratiram: Thank you.

Madam Speaker: Attorney General. [*Desk thumping*]

The Attorney General and Minister of Legal Affairs (Hon. Faris Al-Rawi): Thank you, Madam Speaker. Madam Speaker, this debate thus far, coming from my friends opposite can be described in one word: anaemic. This is an anaemic debate because it lacks any form of conviction and certainly, Madam Speaker, what it lacks most is research. We just heard the hon. Member who last spoke spend 20 minutes reading newspaper reports, literally. The hon. Member quoted so liberally for 20 minutes from newspaper reports, that I am astounded that the hon. Member was able to even demonstrate one original thought coming.

And let me tell you why, Madam Speaker. The hon. Member starts off by just throwing things out. The hon. Member says that hundreds of thousands of people have lost their jobs in this country. Madam Speaker, that is statistically

impossible in a country of 1.3 million people. It is just not possible. The hon. Member starts off by saying that this Bill should not be a Finance Bill, this should be a penalization Bill and then sets up a straw man to beat it down in the context of saying that this Bill is all about taxation.

Madam Speaker, I encourage hon. Members opposite, to read the Constitution of the Republic of Trinidad and Tobago, to read the Exchequer and Audit Act, and to tell the population with all sincerity, that the only kinds of moneys that can be collected effectively in this country are one, taxation; two, fines and fees; and three, moneys held in trust, meaning moneys that do not belong to you. You are holding it for somebody else's benefit, for example, when the Judiciary collects maintenance payments, it is for a beneficiary. The hon. Members opposite do as if this country earns money in some way other than effectively taxation, and I use taxation to include royalties, because royalties are a form of tax, supplemental petroleum tax; taxes at the well head on oil and gas. Taxes from earnings by personal income.

What is wrong with hon. Members opposite that they cannot honestly tell this country that taxation is a necessary aspect of life? What this Government seeks to do is to have a fair and equitable taxation system. For instance, in reducing the taxation from 15 per cent value added tax to 12½ per cent value added tax, you are getting a taxation regime that is lower but what you want to do is to ensure that everybody pays their fair share.

And Madam Speaker, when we talk about the fair share, it is right that more than just public servants or people who engage in the pay as you earn system, pay their fair share. Why should it only be working people who receive a pay cheque that is automatically deducted with their taxes going directly to the Government in the PAYE system, why should they alone bear the burden of every pothole, of the

lights, of the water systems, of our roads, of our markets, of our green spaces? That is not equitable, Madam Speaker. And Madam Speaker, for the hon. Member opposite to say to this country that this is a message of penalty, it just shows a blinding ignorance as to how a country genuinely runs, Madam Speaker.

So let us get to the legislation before us. The Member spent all of his 20 minutes talking about praedial larceny. Madam Speaker, praedial larceny being something that he is so concerned about. Madam Speaker, do you know that the Praedial Larceny Act was last amended in 2015? Madam Speaker, if the hon. Member opposite was so concerned having served as a Senator in the UNC-led administration on the Government Bench, why was his voice silent then?

Madam Speaker, we do not need newspaper reports to tell us that praedial larceny is an issue. Praedial larceny is an issue which is why we have brought the local government reform now laid in this Parliament. Now that it is laid, you know that it is laid with a Minority Report where the UNC does not support it. So as we seek to amend municipal police, as we seek to put to work rural police, as we seek to put to work estate police, under the provisions of the Supplemental Police Act, what is wrong with my learned friend opposite, that he cannot respectfully understand that the first and most important thing is to support the reform of law?

Madam Speaker, do you know who engages in ensuring that praedial larceny is put to work? The Commissioner of Police under the Constitution. We have in another place, a Motion to negative the order to appoint a Commissioner of Police. There is a direct attack by the UNC on the process by which a Commissioner of Police is to be appointed. And the hon. Member comes to cry crocodile tears to tell us he is concerned about the praedial larceny. The hon. Member has the gall, the intellectual gall to tell the Minister of Finance and this nation that nothing has been done for agriculture.

Madam Speaker, let us go to the Finance Acts, 2016, '17, '18, '19 and '20. Where is the hon. Member's ability to research? You know, the taxpayers pay hon. Members opposite a salary, research staff, a whole office? They "gih dem ah" iPad, the Laws of Trinidad and Tobago for free, Madam Speaker. You know the hon. Member did not have the decency to put down the newspaper articles that he was searching through, all of them, to go to the Finance Acts, 2016 to 2020 included, to see agricultural equipment coming in at next to zero? To see agricultural loans at next to zero per cent. To see vehicles used in the agricultural industry, loans at the agricultural industry at an all-time low, next to 100 per cent write-off. But the hon. Member could only read the *Newsday*, the *Guardian* and the *Express*, Madam Speaker. "Ah want back meh money." The taxpayers want back their money, Madam Speaker, because that cannot be what we are paying for in an Opposition, Madam Speaker. It cannot be.

Madam Speaker, the praedial larceny structures that are brought into existence under this law are intended to work alongside eyes everywhere. The camera system, implemented, pushed, by Mr. Dillon as Minister of National Security, by the hon. Stuart Young, acting as Minister of National Security, by the member for Laventille West now, by ensuring that evidence can be brought into a court of law via the evidence amendments that we brought that the Opposition does not support, Madam Speaker.

And Madam Speaker, let me get to the concept of Mayaro, putting onto this honourable House's record, Madam Speaker. The record—we have already touched today with what happens when you misrepresent the record, Madam Speaker. The hon. Member for Mayaro sought to put on to the record a most outstanding submission, Madam Speaker. That hon. Member said that we are going to have problems of accountability. And said that the Auditor General had

no oversight over the Petroleum Production Levy and Subsidy Act, Madam Speaker.

Madam Speaker, I am astounded that the hon. Member could say that, because in black and white, in Chap. 62:02 of the Laws of the Republic of Trinidad and Tobago which the taxpayers gave a hard copy, printed copy to the hon. Member for Mayaro—they gave him the iPad from the Parliament so he could pull it up from the Law Revision Commission that the Attorney General’s Office hosts. He has the Bill, the essentials as well.

Madam Speaker, listen to what section 14 of the existing law says:

“All accounts relating to the Fund and the levy shall be kept separately by the Comptroller of Accounts but shall be shown in the general accounts of Trinidad and Tobago and laid therewith before Parliament.”

And we come to amend section 14 of that Act by deleting “Fund and the levy”—and hear what we are putting:

“Subsidy Fund”—and—“petroleum production levy”

Madam Speaker, surely the Member for Mayaro could have opened the Constitution. Surely he could have gone to section 116 of the Constitution where the Auditor General audits the books of Trinidad and Tobago. Madam Speaker, it sounds like—it sounds like a small point but when you listen to the aplomb with which the hon. Members make these submissions that are violently in opposition to the truth, Madam Speaker, violently in opposition to the truth, you have to have deep concern that you could listen to a single word that hon. Members say opposite. It is just not true, Madam Speaker.

Madam Speaker, when we get to the concept of the several matters before us. We are effectively treating with six matters in this 20-clause Bill. Two, to deal with praedial larceny; seven clauses to deal with the provision of an amnesty

across multiple Acts, those are clauses 4, 13, 14, 15, 16, 17 and 18; two to deal with illegal mining, clauses 7 and 8; two to deal with the fuel liberalization, 9 and 10; two to deal with borrowing, 11 and 12, those clauses; and three clauses treating with the protection of children, clauses 5, 6 and 19.

Madam Speaker, let us, having touched with praedial larceny and the contribution from the newspapers by the last speaker, let us move on to the provision of the amnesty. Madam Speaker, in the legislation that we have to treat with the provision of an amnesty, we are seeking to amend several Acts. Those Acts include, Madam Speaker, the following:

1. We are treating with the Registration of Clubs Act, Chap. 21:01
2. The Income Tax Act, Chap. 75:01
3. The Unemployment Levy Act, Chap. 75:03
4. The Health Surcharge Act, Chap. 75:05
5. The Stamp Duty Act, Chap. 76:01

Next, the Property Tax Act, Chap. 76:04, then the Liquor Licences Act, Chap. 84:10.

Madam Speaker, we heard hon. Members opposite talk about penalization. In a pandemic where the Government is cognizant because it is underwriting support for citizens who are in distress, that taxation is also an issue—because nothing stopped taxation, Madam Speaker, nothing—what more relief could there be than to give citizens a tax amnesty across every single category of taxation, what more?

Is the hon. Member last in line to speak, and is the Opposition Bench saying, “Don’t give a tax amnesty”? What are the hon. Members opposite really saying, Madam Speaker? That a tax amnesty is not required in a time like this? Madam Speaker, there is a philosophy coming from bankers and coming from economists

that you ought not to give tax amnesties. They say it is in opposition to the best revenue collection methodologies. I want to say to the hon. Minister of Finance, thank you, on behalf of all citizens who find themselves in jeopardy, Madam Speaker, for this amnesty that is being brought here today.

And let me remind, Madam Speaker, as we treat with the Liquor Licences Act, and as we treat with the Registration of Clubs Act, Madam Speaker, it cannot be lost upon this nation that hon. Members opposite refused to support the gaming legislation. Amusement machines are in the Liquor Licences Act, and the Registration of Clubs Act which treats with private members clubs is a feature of the gaming industry. And what the Minister of Finance is now able to do is to ensure that those people who are to come into compliance in those industries get a break. Because they can pay the taxations that are due, but Madam Speaker, the hon. Minister of Finance is consciously reflecting upon a large industry that has been shut down.

You see, Madam Speaker, the gaming industry, the bars that have been closed, the casinos, the private members that have been closed, they pay their taxes up front, you know. The table taxes are paid up front. So imagine in this country your table taxes are paid up front, your doors are closed, you have 17,000 people in the industry, the hon. Minister of Finance comes to get a relief in terms of taxation for these industries, and opposite, the United National Congress is reading from newspaper reports and cannot see that, and are opposing it, Madam Speaker. That makes no sense to the citizens of Trinidad and Tobago.

Madam Speaker, as I get to the position on children quite quickly, clauses 5, 6 and 19, Madam Speaker, I want say Members opposite need to be conscious of the work that is going on in this Parliament. We are with a report that has been saved today, without going into it, for the Cannabis Control Bill, we amended the

Children Act, we amended legislation to treat with dangerous drugs, we took the order to make ecstasy a dangerous drug, amphetamines, ketamines as dangerous drugs. We are looking to operationalize a brand new industry for marijuana or cannabis; therefore, we must pay attention to the diversification issues and the risks that come with that, in the cannabis industry. Are hon. Members opposite saying they do not want protection for children when we know that there is a report before this House that treats with that issue? We are bound to protect children. And I thank again, the Minister of Finance, for ensuring that these three clauses that treat with children, clauses 5, 6 and 19 of this Bill are designed to protect our children in the context of dangerous drugs.

Madam Speaker, when we get to illegal mining, I would just like to say with respect to clauses 7 and 8, Madam Speaker, in this country the Minister of National Security has told us that he has done an aerial tour of Trinidad and Tobago. And if you take an aerial tour of Trinidad and Tobago you will see that there are some places in Trinidad where the land— *[Interruption]*—the Minister of Energy and Energy Industries, forgive me—past Minister of National Security. The Minister of Energy and Energy Industries has said he has done an aerial tour. Madam Speaker, there are places where the earth is scorched. Billions of dollars in aggregate are going out. We have heard the nation tell stories of aggregate coming out, going into production.

Some companies have the luxury of packing up all their tools and moving to Panama where we have no extradition treaty, Madam Speaker. Some companies have that ability to do that. But Madam Speaker, in this country where you are building a highway to Point Fortin, where aggregate is important, you have to remember that illegal mining must be treated with, and Madam Speaker, let me add this together. We have an explain your wealth legislative package in this country.

We have beneficial ownership discovery in this country. We have a land registration exercise in this country. And when the Minister of Finance introduces into the Minerals Act and the State Lands Act, the prohibition for treating with criminals, for treating with people who are receiving stolen goods in the use of state contracts, why is the Opposition standing against that form of prohibition?

Surely, we want to make sure that gangs cannot benefit from state contracts. You have asked how to do it. This is how it is done. It is very novel. It is quite interesting these two clauses that are being inserted. But Madam Speaker, how is it that none of the Members opposite could do that? Where were they in relation to these amendments now before us, when companies that have migrated to Panama with all their equipment looking to go out of this country were in existence in building the highway? Where were they? What vested interests are there in protecting people like that, Madam Speaker?

Madam Speaker, you see, this is not really an anaemic debate, you know, you could be very pointed in relation to this, Madam Speaker. And hon. Members opposite have an obligation to come to this Parliament with research in tow, Madam Speaker.

Madam Speaker, when we treat with the issue of borrowing—Madam Speaker, I am near an end, am I? How much more time do I have?

Madam Speaker: You just have about a minute left.

Hon. F. Al-Rawi: A minute? Thank you. I will go quickly. Madam Speaker, I would like to put on record in relation to borrowings and government bonds in a non-TT denominational currency, that I want to thank the Minister of Finance sincerely for thinking outside the box. Madam Speaker, there is actually a liquidity of US cash. There is a vast amount of US cash in our banking system. And therefore, it makes sense that the Minister of Finance has listened to his colleagues,

the Member for San Fernando West, the Member for Port of Spain North/St. Ann's West, the hon. Sen. Allyson West, led by the Minister of Finance, that we finally have US denominational bonds, Madam Speaker, because it is to be used in housing.

And Madam Speaker, I will end by saying, when—thank you. Madam Speaker, I thank you for this opportunity to contribute.

Madam Speaker: Member for Caroni Central.

Mr. Arnold Ram (*Caroni Central*): Thank you, Madam Speaker, for recognizing me and giving me the opportunity here this afternoon to address this august Chamber on this Finance Bill, 2021. And whilst I listened attentively to my previous colleague, the Member for San Fernando West, I had to look back and check myself whether he was piloting the Bill. [*Desk thumping*] Because the hon. Member went clause, by clause, by clause, Madam Speaker, in his usual style of where piloting of the Bill is done.

Madam Speaker, and what I would like to look at and address you with this afternoon is respect to the closing remarks of both the hon. Minister of Finance and the last speaker, and in respect of the Development Loans Act, Madam Speaker. The Minister of Finance in piloting this Bill indicated that the borrowings on the Development Loans Act would be used for general expenditure and recurrent expenditure, and he also indicated, not verbatim, but he is indicating that we are in this crisis because of COVID. And I will address those two issues very shortly.

But please permit me, Madam Speaker, to send my prayers and well wishes to the people of Barbados and Grenada as we have an imminent storm that is causing a lot of anxiety in those two countries. And it is on public record, Madam Speaker, that those countries assisted us greatly in the provision of vaccines when this Government has failed to procure vaccines for Trinidad and Tobago. [*Desk*

thumping] Additionally, Madam Speaker, you will note that the island of Tobago—Barbados, sorry, Madam Speaker, provided lodging for many of our citizens when our airport was closed, Madam Speaker. So our prayers and wishes are with the people and the Government of both Barbados, Grenada and the other Caribbean countries.

So, Madam Speaker, getting on back to my substantive issue here in terms of clause 11, the Development Loans Act, Chap. 71:04. Madam Speaker, and I would like to read into the *Hansard* record what this loan, this development loan allows. And it says in section 3, Madam Speaker:

“For the purpose of—”

This is what the loan has to be used for:

- “(a) financing general development in Trinidad and Tobago;
- (b) repayment of borrowings effected for such general development; or
- (c) repayment of borrowings effected for general development—
 - (i) by a statutory authority...
 - (ii) by an enterprise that is controlled by or on behalf of the State;
 - or
 - (iii) by the University of the West Indies.”

And Madam Speaker, when you look at some of the expenditure coming out of the Central Bank Report for the financial year entitled “Annual Economic Survey”, and you look at some of the expenditure which were itemized, it indicated on the 30th of October, 2019, that the amount of 500 million was used for budget support. And I am putting the Minister of Finance on notice here, that he is using these funds outside of its legal authority. Because these are specific, specific, Madam Speaker, as to what this loan—

Mr. Young: Madam Speaker, 48(6), 48(4).

Finance Bill, 2021 (cont'd)
Mr. Ram (cont'd)

2021.07.02

Mr. A. Ram: Madam Speaker, I am putting him on notice, Madam Speaker.

Madam Speaker: Member, I would uphold the objection and ask you to deal with the provisions before you please.

6.00 p.m.

Mr. A. Ram: Madam Speaker, does the Member for Port of Spain North/St. Ann's West have any conflict to declare in respect of borrowings? Because I am speaking about borrowings under Development Loans Act.

Mr. Al-Rawi: Madam Speaker, I rise on Standing Orders 48(4) and (6), and 48(1). The hon. Member cannot say things like that.

Mr. A. Ram: I am asking whether he has a conflict of interest to declare.

Madam Speaker: Member, I will rule on 48(1), relevance. Please get back to what is before us.

Mr. A. Ram: Thank you, Madam Speaker. So I was itemizing, Madam Speaker, some of the expenditure that was used and identified by this—

Mr. Young: Madam Speaker, 44(10).

Madam Speaker: Okay. So, Members, we know this is a simple debate. All right? So—and I think you have had a little experience. So let us not be so tied to the script, but continue.

Mr. A. Ram: And I can guarantee you that—and if the Member is offended by what I brought to the House before, earlier, maybe he should just say so.

[*Crosstalk*]

Mr. Al-Rawi: No—

Mr. A. Ram: But, Madam Speaker, as I move on, and I am saying—

Mr. Al-Rawi: I rise on Standing Order—[*Crosstalk*] I rise on Standing Order 44(4) and (6) and (1). Madam Speaker, you have already ruled on that. He cannot repeat it.

Madam Speaker: So, Member, again, I have ruled and you know, Members will stand up, they will raise Standing Orders and I will rule and you continue in accordance with the ruling. Please do let me have to rise again on those three Standing Orders.

Mr. A. Ram: Certainly, Madam Speaker. So, Madam Speaker, according to the public sector borrowings undertaken in financial year 2019/2020, there were four instances where—

Mr. Al-Rawi: Madam Speaker, I rise on Standing Order 48(1). That is not the fiscal year in respect of this financial Bill, Madam Speaker. Totally irrelevant.

Madam Speaker: And I think I ruled on that before. You were before speaking about something that related to prior years and I have ruled it is irrelevant. Okay?

Mr. A. Ram: Madam Speaker, this is not the first time that this Minister of Finance has come to this House to increase borrowings. He came on the 4th of December, 2015, and increased the limits from—

Mr. Young: Madam Speaker, 44(10). You just ruled on 44(10). I thought your ruling was very clear. Doing this is in breach.

Madam Speaker: All right. So, Member, I am sure you understand. Please continue.

Mr. A. Ram: Madam Speaker, I am saying this is not the first time. And that is a sentence I made. I do not know why the Member got up. This is not the first time that he has come to this House to ask for an increase in borrowings. He did so in December 2015; that is a fact. He did so again, Madam Speaker, in another year where he increased the borrowings again. So, this is just the third occasion, Madam Speaker, where this Minister of Finance again is coming to this House to increase the borrowings and in this case, for the Development Loans Act, from 55 billion to 65 billion in this financial year.

So, what we have seen is that when he first came to increase this amount, we have seen that some of the expenditure was used for recurrent expenditure. And I am saying and asking him, hon. Minister of Finance, whether that will still hold for this increase? Because the Government has used these loans to pay recurrent expenditure and that is something that I do not think, based on my reading, Madam Speaker, without casting aspersions on any one Minister, that—

Mr. Al-Rawi: Madam Speaker, I rise on—

Mr. Charles: This is vexatious.

Mr. Al-Rawi: Madam Speaker, I rise on Standing Order 48(1) and on the general privilege of truth.

Madam Speaker: Okay. All right. So, again, Naparima you are acting as Whip, so you have a responsibility. You just cannot be jumping up. Okay? You have to jump up on a Standing Order. [*Interruption*] One minute, please. You need to calm down a bit. Both people cannot be standing at the same time, both people cannot be speaking—so it is a general sort of guidance for your responsibility as Whip. Member for Caroni Central, please be relevant to what is here before us.

Mr. A. Ram: So—

Madam Speaker: Whip, you have a point of order you want to stand on?

Mr. Charles: I need a clarification for 55(b), tedious repetition, if it applies—

Mr. Al-Rawi: Hon. Speaker!

Mr. Charles:—to Standing Orders also. It is a question.

Madam Speaker: All right. Okay. So, while you get familiar with your responsibilities as Whip, I am sure you will work that out. Caroni Central.
[*Crosstalk*]

Mr. Al-Rawi: He—[*Inaudible*] a Standing Order against their own speaker.

Mr. A. Ram: Thank you. So, I have some questions which I like to pose to the hon. Minister of Finance. And it begs the question, Madam Speaker, will this borrowing, this increased borrowing be done to the benefit of Trinidad and Tobago? Will it? That is a question.

Additionally, what do we have to show, this country has to show for the previous borrowings made? It is a question again I ask to the Minister. Maybe you can address those in his closing remarks, given that he wants to increase by a further 10 billion. Madam Speaker, what this increased borrowing will do, it will move our liability closer to 100 per cent. And what I mean by that, gross borrowings versus GDP, it will move it at approximately—[*Crosstalk*] 93 per cent. Madam Speaker, we cannot move forward unless we know where we came from.

In 2015, Madam Speaker, our gross domestic product stood at 47 per cent—our GDP, sorry, took—

Dr. Moonilal: Madam Speaker, Standing Order 53(1)(f). Why are they in mortal fear of listening to the Member for Caroni Central? [*Desk thumping*]

Madam Speaker: Member, I do not believe 53(1)(f) is mortal fear but I would ask the Attorney General, the Minister of Finance who is most probably being shocked and answering in the shock to whatever the Attorney General is saying, if you all could please refrain from the excessive, loud, disturbing talk. The Minister of Finance, I am sure, will do what he needs to do in his wrap up. Member for Caroni Central.

Mr. A. Ram: Yes. Thank you, Madam Speaker. [*Desk thumping*] Madam Speaker, prior to 2015, when the first chance of an increased loan was approved in this House, our percent of GDP stood at 47 per cent. When that increase of 50 billion took place in December 2015, it raised our borrowings to 80 per cent. And by this further erosion, our borrowings, Madam Speaker, we will be moving to 93 per cent

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as a percentage of our GDP. So, Madam Speaker, this has great implications for our country as we try to repay, in the future, all our borrowings that we have done to date. And therefore, it stands to reason that we are in a position and we should ask the pertinent questions from the Minister in respect of these, Madam Speaker.

So, Madam Speaker, with those few words—[*Crosstalk*] [*Laughter*] I would like to thank you for the opportunity. [*Desk thumping*]

Madam Speaker: Minister of Finance. [*Desk thumping*]

Ms. Ameen: Madam—

Madam Speaker: Minister of Finance, are you willing to give way?

Hon. Member: Thank you. [*Desk thumping*]

Ms. Ameen: Madam Speaker—

Mr. Al-Rawi: [*Inaudible*] —on the microphone. You have to sit. You have to sit down. You just have to sit.

Ms. Ameen: No, I have to wait for the booth to be sanitized.

Mr. Al-Rawi: He said no.

Madam Speaker: No, no. One minute—

Ms. Ameen: I just wish to get the—[*Crosstalk*]

Madam Speaker: One minute, please. Member for St. Augustine, you stood up long after the Minister of Finance. I am not in a discussion, I am saying that. And while I understand if people speaking back to back, there is a tradition of catching my eye even if one does not stand up and Members of your Bench can attest to that if Members to the right cannot. You stood up long after the Minister of Finance. He has the option to give way, he has exercised his option. Minister of Finance.

The Minister of Finance (Hon. Colm Imbert): Thank you. Madam Speaker. [*Desk thumping*] Since Members opposite did not go through the Bill, let me just

refresh the memories of hon. Members as to exactly what we are about today.

There is a complete—

Mrs. Robinson-Regis: You are speaking longer than five minutes?

Hon. C. Imbert: About 10.

Mrs. Robinson-Regis: Yes, so you need to go on the booth.

Hon. C. Imbert: Oh, okay. I understand I have to go into the booth, Madam Speaker. Thank you very much.

There is a complete misunderstanding of the purpose of a Finance Bill. The Finance Bill follows the national budget statement. And in the national budget statement in any given year, a number of fiscal measures are announced. And these fiscal measures are incorporated into law primarily by Finance Bills. A Finance Bill is not a catch all, everything under the sun, free for all, general statement of policy. That is not what a Finance Bill is, Madam Speaker. And if Members opposite had more experience, they would know that. In the budget statement, we made a number of pronouncements in terms of things that we wanted to do, important things that are going to assist the administration of this country and help a number of sectors as the Member for Arima pointed out.

The measures dealing with the Praedial Larceny Prevention Act are intended to help farmers and that particular section deals with people who would sell, trade or dispose of produce without proper authorization or without proper certification, without a Bill, without a bill of sale to establish ownership of the produce, without identification of livestock. So all of the sections that amend the Praedial Larceny Prevention Act are intended to help farmers, persons who cannot give an account of lawful possession of agricultural produce and livestock; persons who are found having agricultural produce and livestock on their premises, which they cannot account for; persons who are found transporting produce and livestock that they

have stolen. All of these things are intended to assist farmers. But if you listen to the Members opposite, they are opposed to that, “dey vex” about that, that this administration is adjusting the Praedial Larceny Prevention Act to assist farmers.

The Attorney General made the point that we are also amending the Children Act to increase the penalties for persons who try to sell narcotics and psychotropic drugs and dangerous drugs to children. That is a very desirable provision that we deal very severely with persons who try to sell dangerous drugs to children. But they are opposed to that. We are also dealing with persons who are engaging in illegal quarrying, increasing penalties for that, but they are opposed to that. We are also protecting children from the hazards of tobacco and alcohol, increasing the penalties with respect to the sale of tobacco and alcohol to minors. They are opposed to that.

The Bill, Madam Speaker, also addresses a tax amnesty. And we have gone through a period in COVID-19, where it is a matter of public record and public knowledge that a number of businesses, whether small or medium, or even large, have had difficulties because of cash flow constraints, because of the various public health restrictions that have been imposed as a result of the pandemic. A number of businesses have had trouble keeping up with the payment of their taxes and that is one of the primary reasons why this Government has decided listening to the people, listening to what people are saying.

We have had many letters in the Ministry of Finance and many enquiries in the Ministry of Finance to assist persons with respect to a deferment on their taxes. And we recognize that a number of small businesses, in particular, have had trouble paying their taxes during the COVID period, so we are creating a tax amnesty to help those people and the Opposition opposed to that. [*Desk thumping*] They are opposed to that. I just do not understand, Madam Speaker. Who are they

for? They seem to be against everything that is right and good and proper. [*Desk thumping*] They do not want us to borrow but they want us every day—you hear them talking about you must give more of this and give more of that, and just give and give and give. That is what they say, every day, even today. But where is the money going to come from? Are we going to pay them with “jumbie” beads? [*Desk thumping*] Madam Speaker, I find this Opposition is the most pathetic Opposition that I have ever had to deal with in my 30 years in Parliament; pathetic. They do not deal with the issues.

We have a Bill before the House that has a number of measures that are important, that are designed to assist people. They do not deal with them, is just mauvais langue, and “ole” talk and irrelevancy, Madam Speaker, it is very disappointing, very disappointing. And I close—I heard some Members say that I am not qualified. Well, let me tell you something, Madam Speaker, let me tell Members opposite, I am qualified in many things; in many things. I have three master’s degrees [*Desk thumping*] and I am completing a fourth one in economic policy as we speak. I am qualified in many things. But I am not qualified to be a bag carrier. I beg to move, Madam Speaker. [*Desk thumping*]

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Madam Chairman: Minister, are you ready?

Mr. Imbert: Sorry—[*Inaudible*]

Madam Chairman: Thank you very much. Yeah, so can we take clauses 1 to 9 en bloc? Yes?

Clauses 1 to 9 ordered to stand part of the Bill.

Clause 10

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

Delete the word “the” in the expression “the Subsidy Fund” in the first place where it occurs.

Madam Chairman: Minister of Finance.

Mr. Imbert: Thank you, Madam Chairman. There is a small typo. The word “the” should not appear before the words “Subsidy Fund.” So the amendment is simply removing the word “the” that should not be there, in 10(e)(i).

Madam Chairman: In the first place.

Mr. Imbert: Yeah, yeah

Madam Speaker: Right? Because “the” appears more than once.

Mr. Imbert: Yeah, yeah.

Madam Chairman: Yes? All right.

Question put and agreed to.

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

Clauses 11 to 20 ordered to stand part of the Bill.

New clause 15.

A. Insert after clause 14 the following new clause:

“Chap. 15. The Petroleum Taxes Act, is amended in section 26G,
75:04 in the Table, by inserting in the appropriate sequential
amended order, the following item:

“Section 103A (Waiver of Liabilities).” ”.

B. Renumber the clauses accordingly.

New clause 15 read the first time.

Question proposed: That new clause 15 be read a second time.

Mr. Imbert: Madam Chairman, this is to deal with the oversight. This will include supplemental petroleum tax within the tax amnesty and this is how it is done. You adjust section 103A of the Act by this form of words.

Madam Chairman: Okay.

Question put and agreed to.

Question proposed: That new clause 15 be added to the Bill.

Question put and agreed to.

New clause 15 added to the Bill.

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

House resumed.

Bill reported, with amendment, read the third time and passed.

Madam Speaker: Leader of the House.

ADJOURNMENT

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

Thank you very kindly, Madam Speaker. Madam Speaker, I beg to move that this House do now adjourn to Friday, the 9th day of July, 2021, at 1.30 p.m. Madam Speaker, at that time, we will do a Bill entitled an Act to amend the Sexual Offences Act, Chap. 11:28.

Madam Speaker, I am just alerting my colleagues opposite that if there are any amendments to any of the Bills that are before the Senate, we will do those amendments on that day also.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 6.24 p.m.