

**SENATE***Tuesday, May 02, 2023*

The Senate met at 1.30 p.m.

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

**Mr. President:** Hon. Senators, I have granted leave of absence to Sen. The Hon. Paula Gopee-Scoon and Sen. Paul Richards, both of whom are out of the country.

**SENATORS' APPOINTMENT**

**Mr. President:** Hon. Senators, I have received the following correspondence from Her Excellency the President Christine Carla Kangaloo, O.R.T.T.

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By Her Excellency CHRISTINE CARLA KANGALOO, O.R.T.T., President of the Republic of Trinidad and Tobago and Commander-in-Chief of the Armed Forces.

/s/Christine Kangaloo

President.

TO: MR. NDALE YOUNG

WHEREAS Senator the Honourable Paula Gopee-Scoon is incapable of performing her duties as a Senator by reason of her absence from Trinidad and Tobago:

NOW THEREFORE, I, CHRISTINE CARLA KANGALOO, President as aforesaid, in exercise of the power vested in me by section 44(1)(a) and section 44(4)(a) of the Constitution of the Republic of Trinidad and Tobago, acting in accordance with the advice of the Prime Minister, do hereby appoint you, NDALE

**UNREVISED**

YOUNG to be a member of the Senate temporarily, with effect from 2<sup>nd</sup> May, 2023 and continuing during the absence from Trinidad and Tobago of the said Senator the Honourable Paula Gopee-Scoon.

Given under my Hand and the Seal of the  
President of the Republic of Trinidad and  
Tobago at the Office of the President, St.  
Ann's, this 1<sup>st</sup> day of May, 2023."

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By Her Excellency CHRISTINE CARLA  
KANGALOO, O.R.T.T., President of the  
Republic of Trinidad and Tobago and  
Commander-in-Chief of the Armed Forces.

/s/Christine Kangaloo

President.

TO: MR. JOSH DRAYTON

WHEREAS Senator Paul Richards is incapable of performing his duties as a Senator by reason of absence from Trinidad and Tobago:

NOW THEREFORE, I, CHRISTINE CARLA KANGALOO, President as aforesaid, in exercise of the power vested in me by section 44(1)(a) and section 44(4)(c) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, JOSH DRAYTON to be a member of the Senate temporarily, with effect from 2<sup>nd</sup> May, 2023 and continuing during the absence from Trinidad and Tobago of Senator Paul Richards.

Given under my Hand and the Seal of the  
President of the Republic of Trinidad and

**UNREVISED**

Tobago at the Office of the President, St.  
Ann's, this 1<sup>st</sup> day of May, 2023."

### **AFFIRMATION OF ALLEGIANCE**

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

### **OATH OF ALLEGIANCE**

*Senator Josh Drayton took and subscribed the Oath of Allegiance as required by law.*

### **PAPERS LAID**

1. Report of the Central Bank of Trinidad and Tobago with respect to the Progress of the Proposals to Restructure CLICO, BAT and CIB for the quarter ended September 30, 2022. [*The Minister of Foreign and CARICOM Affairs (Sen. The Hon. Dr. Amery Browne)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the Public Accounts of the Republic of Trinidad and Tobago for the financial year ended September 30, 2022. [*Sen. The Hon. Dr. A. Browne*]
3. Public Accounts of the Republic of Trinidad and Tobago for the financial year 2022. [*Sen. The Hon. Dr. Amery Browne*]

### **URGENT QUESTIONS**

#### **Munroe Road Hindu School**

#### **(Counselling for pupils and staff)**

**Sen. Wade Mark:** Thank you, Mr. President. To the hon. Minister of Education: Given the recent murder outside of the Munroe Road Hindu School and the emotional and psychological effect this may have had on pupils and staff, has the Ministry arranged for counselling for the aforementioned persons?

**Mr. President:** Minister of Education.

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

**The Minister of Education (Hon. Dr. Nyan Gadsby-Dolly):** Thank you, Mr. President. Mr. President, on Monday 1<sup>st</sup> of May, 2023, a debriefing session was conducted with the teachers of the Munroe Road Hindu School. This was facilitated by the school social worker. At that time, the teachers presented with distress and anxiety. The EAP was also contacted to have follow-up group or individual sessions with the teachers as needed.

Today, May 02, 2023, a team of four SSSD personnel, that is Student Support Services personnel, inclusive of guidance officers and school social workers, conducted whole-of-school debriefing sessions at both the primary school and the nearby ECCE centre. Any child presenting with distress or heightened anxiety will be supported with follow-up action as necessary.

**Mr. President:** Sen. Mark.

**Sen. Mark:** Yeah. Mr. President, may I ask, through you, to the hon. Minister, having regard to the brazen approach by criminal elements in this country to now engage in activities in schools, or nearby schools, can the Minister indicate to this honourable House whether proactive measures are being considered by her Ministry to avert any future challenges that may bring serious consequences for our school population?

**Mr. President:** Minister of Education.

**Hon. Dr. N. Gadsby-Dolly:** Thank you, Mr. President. I am not sure if I am being asked if the Ministry of Education is to now predict if a crime will take place close to a school, because this is not the first time it has happened. On a regular basis, the school social workers and guidance counsellors interact with our students and would ensure that they engage them in activities that will secure their mental health. But when a circumstance arises, which no one can predict, then we would

beef up the resources to ensure that any trauma experienced by the students is taken care of by those officials.

**Sen. Mark:** Yeah. Mr. President, can I ask, again, the hon. Minister, is there a time frame for the rendering of services, counselling included, when an incident of the nature that we are discussing takes place at, in this instance, this school? Is there a time frame to provide counselling and other psychological and emotional support services to the students, to parents and the teachers? Can you share with us?

**Mr. President:** Minister of Education.

**Hon. Dr. N. Gadsby-Dolly:** Thank you, Mr. President. As I indicated, on the day of the incident, counselling was provided. The students were allowed to go home early. Counselling was provided to the teachers. And on the day after, as the students are out to school, counselling was provided to the students. So if that is the question, then that should answer that. If the question is, how long the counselling is to go on for, that would be on a case-by-case basis, as required by the students. The Students Support Services are directed to the students mainly. They do interact with teachers and parents when required. However, there is the EAP, the Employee Assistance Programme, that specifically deals with the teachers.

**Mr. President:** Sen. Mark, next urgent question.

### **Belmont Secondary School Safety and Security**

#### **(Measures Taken to Address)**

**Sen. Wade Mark:** To the hon. Minister of Education: In light of teachers at the Belmont Secondary School refusal to work on the grounds of safety and security, can the Minister indicate what measures are being taken to address this situation?

**Mr. President:** Minister of Education.

**The Minister of Education (Hon. Dr. Nyan Gadsby-Dolly):** Thank you, Mr.

President. The refusal-to-work process requires employees to approach the employer and union about the grievance, give time for reasonable mitigation. If the employer fails to do so, then a refusal-to-work application can be made to OSHA, after which time an inspection can be done and a determination made. Approval for early school dismissal was given on the day of the incident, Friday, 28<sup>th</sup> April, and as of Monday, 1<sup>st</sup> May, the number of MTS security officers at the school had been increased and there is also police presence on site. This is to facilitate greater security as the breaches in the fence are being repaired. There is, therefore, no barrier to the resumption of school and teachers have been so advised.

**Sen. Mark:** Can I ask the hon. Minister whether any meeting or meetings have been arranged between TTUTA and the Ministry of Education to address the teachers' concerns with a view to having this matter resolved swiftly and speedily?

**Hon. Dr. N. Gadsby-Dolly:** Mr. President, I am not aware of a request being made. But if it has been made, then that will happen, as this is a regular occurrence where the Ministry officials will meet with TTUTA to discuss the matter.

**Sen. Mark:** Can I ask the hon. Minister, in light of the growing aggression by deviant forces in our nation and when we look at what is taking place at the Belmont Secondary School, in terms of the fencing, can the Minister indicate whether the Ministry is contemplating changing that arrangement and having concrete walls and blocks erected to replace those fences that seem to be easily accessible—

**Mr. President:** So, Sen. Mark—

**Sen. Mark:**—by bandits?

**Mr. President:**—you asked a question and there are a lot of statements in there. What is the question, Sen. Mark?

**Sen. Mark:** The question is, Mr. President, whether the Ministry is considering

removing the chain-link fencing which seems to be vulnerable to individuals' access, to have those same fences replaced with, let us say, concrete blocks—

**Mr. President:** So Sen. Mark—

**Sen. Mark:**—around the entire perimeter of the School.

**Mr. President:** Sen. Mark, Sen. Mark we got the question. Minister of Education.

**Hon. Dr. N. Gadsby-Dolly:** Thank you, Mr. President. Mr. President, I want to unfortunately say that concrete walls are not a deterrent to persons who are determined to get into any building, schools are not excluded from this unfortunately. So that consideration, though it may seem on the face of it as something that might be preemptive, may not actually play out because we have had instances where persons go over the walls of schools to get into schools. So, in this circumstance we are going to fix the fences as is required and we are going to ensure that a security presence is there to give the security to the students and the teachers.

### ANSWERS TO QUESTIONS

**The Minister of Foreign and CARICOM Affairs (Sen. The Hon. Dr. Amery Browne):** Mr. President, the Government is prepared to answer all questions on notice, both oral and written.

### WRITTEN ANSWERS TO QUESTIONS

#### Positions at The Criminal Law Department and The DPP Office

#### (Details of)

**84. Sen. Jayanti Lutchmedial** asked the hon. Attorney General and Minister of Legal Affairs:

As regard the complement of permanent and contract positions at the Criminal Law Department, Office of the Director of Public Prosecutions, can the Attorney General provide the following:

- (i) the number of permanent positions in the Department and the classifications of said positions;
- (ii) the number of contract positions in the Department and the classifications of said positions; and
- (iii) the total number of vacant positions at the Department as at March 01, 2023?

### **Refinanced Public Sector Loans**

#### **(Details of)**

**90. Sen. Amrita Deonarine** asked the hon. Minister of Finance:

Can the Minister provide the following:

- (i) a list of all Public Sector loans including Government guarantee loans that were refinanced for each year during the period 2018 - 2023;
- (ii) the initial and refinanced TT dollar value of each loan;
- (iii) the initial and refinanced interest rates of each loan;
- (iv) the names of the financial institution(s) that refinanced each loan; and
- (iv) the reduction in debt burden accrued from these refinancing arrangements (in present value terms)?

*Vide end of sitting for written answer.*

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

### **ORAL ANSWERS TO QUESTIONS**

#### **High Angle Canopy Tour Course Project**

#### **(Commencement of)**

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



In light of the Report of the Auditor General on the Financial Statements of the Tobago House of Assembly for the year ended September 30, 2016 and its reference to an expenditure of \$5.9 M for the provision of a High Angle Canopy Tour Course in the Main Ridge, can the Minister provide reasons why the said High Angle Canopy Tour Course project has not yet commenced?

**Mr. President:** Minister of Finance.

**The Minister of Finance (Hon. Colm Imbert):** Thank you, Mr. President, excuse my voice.

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

**Hon. C. Imbert:** I am advised that expenditure of \$5.9 million on the High Angle Canopy Course project was not mentioned or referenced in the report of the Auditor General on the financial statements of the Tobago House of Assembly for the year ended, September 30, 2016. This question is therefore completely without any basis whatsoever.

**Mr. President:** Sen. Mark.

**Sen. Mark:** Can I ask through you to the hon. Minister, whether in the management letter attached to the Auditor General's report, mention was made of this particular expenditure as far as the Minister is aware?

**Mr. President:** Sen. Mark that question does not arise. Next supplemental.

**Sen. Mark:** I will proceed to the next question, Sir.

### **THA - Contingencies Account Fund**

#### **(Withdrawal of Moneys)**

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

In light of the Report of the Auditor General on the Financial Statements of the Tobago House of Assembly for the year ended September 30, 2016, can

the Minister indicate why monies were withdrawn from the Assembly's Contingencies Account to fund the construction of a mall in contravention of the THA Finance Rules 1990?

**Mr. President:** Minister of Finance.

**The Minister of Finance (Hon. Colm Imbert):** Thank you, Mr. President. As we have indicated on several previous occasions, any questions regarding specific matters raised by the Auditor General in her reports on the financial statements of the Tobago House of Assembly should be directed to the Auditor General through the Public Accounts Committee of the Parliament. The PAC is the appropriate mechanism for this. As Sen. Mark is aware, the Ministry of Finance is not involved in the auditing of the THA's accounts and cannot usurp the constitutional roles of the Auditor General or the Public Accounts Committee.

**Mr. President:** Sen. Mark.

**Sen. Mark:** Can I ask the hon. Minister whether he would agree with me that under the Constitution when the Auditor General submits her report on the Tobago House of Assembly, a copy of the same is sent to the hon. Minister of Finance? And in those circumstances—

**Mr. President:** One question, Sen. Mark. That was your first question. Minister of Finance.

**Hon. C. Imbert:** Everybody gets a copy of the report. All parliamentarians.

**Mr. President:** Sen. Mark.

**Sen. Mark:** I am dealing with the Minister of Finance.

**Hon. C. Imbert:** I am a parliamentarian.

**Sen. Mark:** No. The Minister of Finance holds office.

**Mr. President:** What is the question Sen. Mark?

**Sen. Mark:** The question is, in light of the fact that the Minister receives that

report in his capacity, not as a parliamentarian but as the Minister of Finance, whether it is not his constitutional duty to examine those accounts of the Auditor General with a view to determining areas for improvement and maybe recommended changes.

**Mr. President:** So Sen. Mark, that question was answered in the original response. Do you have another supplemental?

**Sen. Mark:** Let me go on to question No. 45.

### **TTPS - Lease of Two Vehicles**

#### **(Responsibility of the THA)**

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

Can the Minister explain why the sum of \$204,000.00 was paid for the lease of two vehicles to be used by the Trinidad and Tobago Police Service which, as set out in the Sixth Schedule of the Tobago House of Assembly Act, does not fall under the responsibility of the Assembly?

**The Minister of Finance (Hon. Colm Imbert):** Mr. President, I have been advised that the then THA was of the view that it would be in the public interest to assist the Trinidad and Tobago Police Service in Tobago with the lease of two vehicles to help improve the mobility of the TTPS in Tobago. The vehicles were leased for one year, from February 01, 2015 to January 31, 2016.

**Mr. President:** Sen. Mark.

**Sen. Mark:** Can I ask the hon. Minister to share with this House under what legal authority did the THA exercise that power to extend that sum to the particular agency for the period identified by the hon. Minister?

**Mr. President:** Minister of Finance.

**Hon. C. Imbert:** I suggest that question be posed to the Auditor General through the Public Accounts Committee.

**Mr. President:** Sen. Mark.

**Sen. Mark:** Can I ask the hon. Minister whether it is a usual practice and/or custom for the THA to be so charitable in extending public moneys via leases of vehicles to the Trinidad and Tobago Police Service?

**Mr. President:** Minister of Finance.

**Hon. C. Imbert:** I am sure the THA is extremely charitable, not just in this way but in many other ways.

**Mr. President:** Sen. Mark.

**Sen. Mark:** Can I ask the hon. Minister whether he believes that a proper investigation ought to be conducted into this activity undertaken by the THA which was run at that time by the People's National Movement?

**Mr. President:** Minister of Finance.

**Hon. C. Imbert:** That is best addressed by the Public Accounts Committee which has the responsibility to examine expenditure by the Tobago House of Assembly.

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

**Mr. President:** Sen. Mark.

**Sen. Mark:** Mr. President, I thank you.

**Mr. President:** Sen. Deonarine.

### **Value Added Tax Refunds**

#### **(Details of)**

**76. Sen. Amrita Deonarine** asked the hon. Minister of Finance:

Given that \$4 billion in Value Added Tax (VAT) refunds were reimbursed to businesses in fiscal 2022, can the Minister provide the following:

- (i) the current value of outstanding VAT refunds to date;
- (ii) a timeline to clear the backlog of outstanding VAT refunds; and

- (iii) the mechanism(s), outside of the issuing of VAT bonds, being considered to avoid the recurrence of VAT refund backlogs?

**Mr. President:** Minister of Finance.

**The Minister of Finance (Hon. Colm Imbert):** Thank you. Mr. President, the value added tax system has the potential to generate significant government revenue. However, despite its intrinsic self-enforcement capacity, many tax administrations around the world find it challenging to refund excess input credits which are also known as VAT refunds. Most VAT laws around the world include provision for this feature. That is to say, that taxpayers can claim legitimate excess input VAT credits and receive cash refunds within prescribed deadlines.

However, the world over, the reality is often different from the VAT law's intention. Country experience, especially in developing countries, shows that access to VAT refunds is often limited. The requirements that taxpayers must meet to claim VAT refunds and the associated tax administration procedures are quite complex. When taxpayers do claim such refunds, it is the experience in many countries that they do experience significant delays. This is not unique to Trinidad and Tobago. These delays are not the result of VAT design in itself as such, but stem from inadequate legal and institutional frameworks and weak administrative capacity to identify VAT refund fraud and to implement practical and workable preventative measures.

In our case, in 2019 the International Monetary Fund's Fiscal Affairs Department undertook at the request of the Government an exercise to measure the non-compliance VAT gap. That is to say, the difference between, on one hand the current potential VAT that could have been collected and had all taxpayers complied with their VAT obligations on the actual net VAT accrued. This difference represented lost revenue for the State. As part of that exercise the Fiscal

Affairs Department applied the revenue administration gap analysis programme value added tax estimation methodology to Trinidad and Tobago for the period 2012 to 2017 to estimate among other things the VAT non-compliance gap during that period. That application revealed that the estimated non-compliance VAT gap, as opposed to the policy gap, was approximately 2 per cent of GDP. That is to say, approximately \$4 billion at current GDP levels.

This is one of the reasons why the Government is pushing ahead with the Trinidad and Tobago Revenue Authority, to introduce new methods and specialist resources to close this huge VAT gap and remove as far as possible the avenues for fraud and underreporting in the VAT system.

It should also be noted that the question of outstanding VAT refunds is not new. The records indicate that the amount of outstanding VAT refunds stood at \$3 billion in May of 2010. And notwithstanding record levels of income and expenditure in the 2010 to 2015 period, the amount of outstanding VAT refunds increased to 4.6 billion by September 2015. The present Government thus inherited close to \$5 billion in outstanding VAT refunds when it took office in 2015.

Regarding the specific questions asked, the value of outstanding VAT refunds amounted to 7.8 billion at the end of March 2023. The timeline to clear the backlog of VAT refunds is dependent on the availability of cash flow to enable an accelerated reduction in the refund arrears and the anticipated administrative reforms consequent on the full implementation of the Revenue Authority which is expected to significantly reduce the amount of VAT refunds claimed. It is not possible therefore to give a firm timeline at this time.

However, Mr. President, I am pleased to announce that Cabinet recently agreed to the issuance of VAT bonds in the aggregate sum of \$3 billion to assist

with the settlement of outstanding VAT refunds, to date, to be issued in tranches.

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

**Hon. C. Imbert:** It is anticipated that these \$3 billion bonds will be issued between June and August of 2023 and as in the past these bonds will be suitably priced to allow full redemption, at par, in the commercial banks. These bonds will bring the total amount of VAT refunds for 2023 to over \$5 billion and significantly reduce the amount of outstanding refunds. Thank you.

**Mr. President:** Sen. Deonarine.

**Sen. Deonarine:** Thank you, Mr. President, thank you Minister of Finance. Through you, Mr. President, I would like to ask a follow-up question. Given that the plan is to issue \$3 billion worth in VAT bonds and it would mean that there is an outstanding of \$5 billion in VAT refund still owed to the public, can the Minister outline what plans would be in place to deal with the remaining \$5 billion?

**Hon. C. Imbert:** Well, that is presumptive, because in addition to the issuance of the \$3 billion in VAT bonds we will continue to issue cash refunds. At this time the cash refunds are estimated to be between \$1 billion and \$2 billion. So you are really looking at a backlog that is closer to 2.8 billion and we do believe that when the revenue authority comes into full implementation, that the gap, the non-compliance gap will be significantly reduced. So it is combination of bonds and cash refunds and better administration of the tax system.

**Mr. President:** Sen. Deonarine.

**Sen. Deonarine:** Thank you, Mr. President, thank you Minister of Finance. Mr. President, through you, the Minister of Finance identified in his initial response that there is a weak administrative capacity to identify VAT refunds and issues of dealing with fraud and implementing preventative measures to deal with fraud. Is

the Minister of Finance in a position to tell the public whether—what mechanisms are being put in place to deal with these issues of VAT refund fraud within the tax administration prior to the launch of or the full enforcement of the Trinidad and Tobago Revenue Authority?

**2.00 p.m.**

**Mr. President:** So that question does not arise, Sen. Deonarine. You have another supplemental?

**Sen. Deonarine:** Thank you. Mr. President, with respect to the last part of the question answered in terms of the mechanisms apart from the VAT bonds that are being implemented, and also the cash payments that the Minister of Finance alluded to, is consideration being given to the entire tax policy designed for Trinidad and Tobago to ascertain whether any changes can be made in that area?

**Hon. C. Imbert:** We have looked at the question of replacing value added tax with a sales tax. You may recall, though I am not sure, that long ago we had a sales tax. This was replaced with the value added tax in 1990. So we have had value added tax now for over four—over 30 years, sorry. The jury is out on that as to whether we will collect the same amount of revenue or more with a sales tax. With the sales tax, of course, there is no refund involved. We are looking at it very carefully, but it will have the same issue of non-compliance that we have with value added tax. So we would not implement a sales tax or have any radical change in tax policy until the revenue authority is up and running and fully established, and then we can deal with compliance issues. Whatever mechanism you use, whether you use value added tax which looks at VAT paid on inputs and VAT charged on output, or you impose a sales tax, you will always have a compliance problem. And our biggest problem in Trinidad and Tobago, as indicated by that Fiscal Affairs Department Report, is non-compliance, where it is



estimated that we lose \$4 billion a year through fraud and underreporting of value added tax.

**Sen. Deonarine:** Thank you, Mr. President. Minister of Finance, through you, Mr. President, given the large tax compliance gap, I would like to ask whether prior to the launching of the Trinidad and Tobago Revenue Authority, whether anything is going to be done within the Board of Inland Revenue to beef up or to improve the compliance challenges within the Board of Inland Revenue in auditing VAT refunds.

**Hon. C. Imbert:** Well, I notice, Mr. President, you are very generous. That was the same question asked before which was disallowed, but I will answer it. We are almost there. You may, if you have been following the news, you will have seen that notice has been taken of the fact that we intend to be up and running by August of 2023. So, of course, it is an audit function. So, of course, we will continue to try and improve the audit function in the Board of Inland Revenue between now and August, but August will come very quickly.

**Mr. President:** Sen. Deonarine, next question on the Order Paper.

**Sen. Deonarine:** I do not have another question.

**Mr. President:** Oh, Sen. Vieira.

### **National Cultural Policy of Trinidad and Tobago**

#### **(Update on Implementation)**

**103. Sen. Anthony Vieira** on behalf of Sen. Paul Richards asked the hon. Minister of Tourism, Culture and the Arts:

Given that it has been approximately two years since the National Cultural Policy of Trinidad and Tobago was laid in Parliament, can the Minister provide an update on the implementation of said Policy?

**The Minister of Tourism, Culture and the Arts (Sen. The Hon. Randall**

**Mitchell):** Thank you very much, Mr. President. The National Cultural Policy was laid in Parliament on February 12, 2020. A mere month later, on March 11, 2020, the World Health Organization characterized the COVID-19 outbreak as a pandemic. The Government of Trinidad and Tobago subsequently focused its attention on controlling the spread of the virus to protect lives and livelihoods. However, notwithstanding, the general disruption brought about by the pandemic to the cultural sector, the Ministry continued to support and build resilience within the sector. The major initiatives and programmes that were subsequently implemented in line with the five goals of the National Cultural Policy included the following.

In line with goal one, there was a reduction in rental fees for performing spaces. In addition, to kick-start the sector in the shortest possible time, the Ministry took the bold step to reduce the rental fees for performing spaces under its control by 85 per cent for a limited time to allow promoters and producers the financial room to continue practicing the culture.

In line with goal four, there was a disbursement of the Cultural Relief Grants to artists and creatives whose livelihoods were severely impacted due to the pandemic of approximately \$24 million.

The cultural and creative arts fund which supports cultural projects and activities in the sector, a total of \$1.8 million was granted to 63 individuals and organisations in the financial year 2021/2022. Sponsorship as well for projects that market and promote Trinidad and Tobago in 2021/2022, 70 grants were disbursed to the amount of \$6.5 million.

In line with goal one and two, national days and festivals, a total of \$3.2 million was granted to 54 NGOs in financial year 2021/2022.

The Ministry also continued its programme of works with the upgrade and

refurbishment of its five performance spaces. In addition, the restoration of the Royal Victoria Institute (National Museum and Art Gallery), commenced and is ongoing. The Ministry also supported and continues to support development of the Carnival museum, and the Desperadoes Pan Theatre has also been completed. These projects all create the environment and space for cultural practitioners to generate revenue and income. They also serve to enhance our domestic and international tourism offerings.

In line with goal five, and in alignment with this policy, the Ministry strengthened its institutions to allow for more autonomy. That is evident with the partial proclamation of the National Academy for the Performing Arts and the Southern Academy for the Performing Arts.

The Ministry has supported festivals which have direct and indirect impact on individuals and communities. Also in line with goal five, there was the reconstitution of the Artist Registry, and the Artist Registry continues to produce. There were also training programmes. These include cultural camps, music schools, and mentoring by the masters.

The Ministry was awarded US \$91,700 in grants from UNESCO to build the capacity of local and visual performing arts, educators, as well as upgrade the database and website of the Artist Registry of Trinidad and Tobago.

Given that the cultural policy of Trinidad and Tobago is for a five-year period, a complete revision will be undertaken shortly considering the changing dynamics in the sector. The Ministry will continue to work to create avenues to which members of the culture and tourism sectors can benefit from and develop.

**Sen. Vieira:** Minister, now that COVID is more or less behind us, can the Minister indicate, in terms of implementation of the overall policy, whether the Ministry has any particular priorities or concerns?

**Sen. The Hon. R. Mitchell:** No. The Ministry does not have any priorities or concerns. There are five goals that the cultural policy speaks to, but, of course, with respect to COVID-19, it has disrupted and it has changed lives and livelihoods, and it has changed the sector forever. So with respect to the COVID-19 pandemic, there are certain adjustments that the Ministry would look towards. Also, when this policy was created it was created under the Ministry of Community Development—it was Community Development, Culture and the Arts, and in a review of the cultural policy I think greater focus should be on tourism and the monetization of the cultural sectors.

**Sen. Vieira:** Minister, you spoke about a complete revision of the cultural policy, can Minister indicate a timeline on this and whether anything is standing in the way of implementation on this?

**Sen. The Hon. R. Mitchell:** Well, the cultural policy is for a period of five years between 2022 and 2025. As I indicated before, the COVID-19 pandemic disrupted and, suffice it to say, that the Ministry had to intervene with a different document, a strategic document, to adapt to allow for cultural practitioners to practice notwithstanding the restrictions and the changes that COVID-19 brought upon the cultural sector. A review is ongoing. It will always be ongoing, but the policy itself is for a period of five years and between now and five years a review will be conducted so that by 2025 or even before a new cultural policy can be introduced having regard to the changes in the sector

**Sen. Vieira:** Thank you.

### **LAND ACQUISITION**

**The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan):** Thank you, Mr. President. Mr. President, I beg to move the following Motion standing in my name:

**UNREVISED**

*Be it resolved* that this Senate approve the decision of the President to acquire the lands described in Appendix II for the public purpose specified.

Mr. President, thank you for the opportunity to speak on this Motion before us which states, “Be it resolved that this Senate approve the decision of the President to acquire the lands described in Appendix II for the public purpose specified” for which to be acquired.

Mr. President, it is noteworthy that the Government shall continue to be guided by the process of compulsory acquisition as set out in the Land Acquisition Act, Chap. 58:01, which regulates land acquisition and establishes defined procedures for the acquisition of land and resettlement regarding affected persons in Trinidad and Tobago.

Mr. President, the Act also specifies provisions to provide for fair compensation to those persons whose land is acquired by the State and brings transparency to the entire process and, therefore, gives the Commissioner of State Land the responsibility to acquire land on behalf of the State.

In this Motion, Mr. President, this honourable House is being asked by resolution to approve an Order made under section 5(1) of the Land Acquisition Act, 58:01, declaring that the lands under Phase 1, consisting of package 1A, 1B, 3 and 4 for the construction of the Churchill-Roosevelt highway extension to Sangre Grande project are required for public purpose.

Mr. President, given the varying stages of activities under Phase 1 package, the Ministry of Works and Transport proposes to vest the land to be acquired for Phase 1, package 1A, 1B, 3 and 4 in the State, and in so doing seize the accrual of interest on the properties to be acquired.

Mr. President, this honourable House is advised that by the publication of section 5(1) and Order 5(3) declarations, the subjects’ land will be formally vested

in the State thereby allowing the Ministry of Finance to complete the work. Sorry, the Ministry of Works and Transport to complete the work on this project which spans from Cumuto Junction to the Toco Main Road.

**2.15 p.m.**

Mr. President, the Ministry of Works and Transport has led the drive to formally vest the land acquired by the State for the construction of the Churchill Roosevelt Highway extension to Sangre Grande. This is in line with good corporate governance principles, accountability and in the law as it relates to the Ministry's acquisition of lands for road construction.

Mr. President, it should be noted that this is the first for the Ministry to formally vest land in the State prior to the completion of a highway construction project. It is the level of accountability and transparency which I have brought to the Ministry. This construction project started under the duration of my tenure and it is the reflection of the integrity of this Government. Mr. President, the last time land was vested by the Ministry on any project was in the 1970s.

Mr. President, why the Government decided to build a highway or the extension of Churchill Roosevelt Highway all the way to Sangre Grande? The land mass on the eastern peninsular of Trinidad is almost one-third of Trinidad and Tobago. Unfortunately, there are no highways that open up the entire area for the population.

Mr. President, what does a highway bring to a community? It brings prosperity, a better standard of living, better health care, more utilities and greater opportunities for its people. If we look at the eastern quadrant of Trinidad, although it is one-third the land mass of Trinidad, apart from the Point Fortin Borough Corporation which is merely a very small land mass area, the eastern quadrant of Trinidad has the lowest amount of registered businesses in Trinidad.

More than 60 per cent of the working population works for minimum wage.

Mr. President, the highway from the Wallerfield to Sangre Grande has already started to bring greater opportunities for the people of the area. Since construction started on these new routes to Sangre Grande, there have been two malls already started in the area. Additional mall about to be started. So commerce in these areas has already started to show signs that once access to the eastern quadrant is made available, the private sector is willing to develop the communities.

The people of the eastern communities are very happy for these new routes. Just two days ago, a significant amount of our population experienced the drive on the Valencia to Toco road, and the comments that I am getting is it is one of the best stretches of road network in the country.

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

**Sen. The Hon. R. Sinanan:** We intend to take this standard throughout Trinidad and Tobago, and the Wallerfield to Sangre Grande highway is no exception. As I said, Mr. President, what we are simply asked to do here, for the first time in the history of this country, is to vest the land in the State even before the highway is completed.

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

**Sen. The Hon. R. Sinanan:** That has never happened before and there are benefits to do that—there are benefits in doing that. If you could remember some time ago, a matter went all the way to the Privy Council—at the Tumpuna intersection, just there in Arima—where the State lost a matter in the Privy Council and looking at the reasons for the judgment not going in the State's favour, it was clear that after the land was received by the State, it was never vested in the State. Someone occupied the land and that gave them the right to own the land. There

Sen. The Hon. R. Sinanan (cont'd)

are many highways in Trinidad that have been built and up to now, the lands have not been vested in the State and what you have is people going back on the land, staying for a period of time and then claim the rights to the land. So this is the first time this is being done and I am sure this new standard will not be the last because there are a lot of benefits to it.

This highway, again, is the first highway that has been built in the country where all statutory requirements were in hand before one shovel was turned. That is a great accomplishment.

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

**Sen. The Hon. R. Sinanan:** And I say all statutory requirements, including the local government approval. In many cases, the Ministry of Works and Transport or the Government doing something, you do not think that you have to get approvals from the regional corporation. This is the first highway built in Trinidad where all, including the EMA, Town and Country and the local government approvals were in hand before the sod was turned and, again, it is one of the few highways where the acquisition of land is not keeping back the progress because we are doing things the right way.

Mr. President, this Motion is a simple Motion. It is to improve the lives of the citizens of the eastern quadrant of Trinidad and Tobago, and it is to vest the land that is required for doing so in the State. I will be in a position to respond to any suggestions, any decisions or any statements made by Members of the Opposition or the Independent Bench, but I think it is a very simple process—

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

**Sen. The Hon. R. Sinanan:**—and I beg to move. Thank you.

**Mr. President:** One second, Minister of Works and Transport.

**Sen. The Hon. R. Sinanan:** Sure.



**Mr. President:** As much as you have begged to move, Sen. Mark, you have something to say?

**Sen. Mark:** Yeah. Under 45(2), I just wanted to ask the hon. Minister if he can provide this House with the sum of money that has set aside by the Government for the acquisition of all lands to be acquired. Can you share that sum with us? Because I know that you shared with us some time ago the amount that you saved in the interchange, so it would be useful for us to know.

**Mr. President:** So, before you answer, let me just clarify that procedure a bit. So, Sen Mark, you are asking the Minister of Works and Transport to give way but the Minister of Works and Transport has already begged to move, ending his contribution by way of moving the Motion. So the simplest way to treat with this is for you to raise it during the course of your contribution to this Motion, which he can then subsequently respond to in his wrap up. All right? So, Minister of Works and Transport, you beg to move?

**Sen. The Hon. R. Sinanan:** Yes, and I thank you.

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

*Question proposed.*

**Sen. Wade Mark:** Thank you, Mr. President. I am very happy to speak on this Motion to:

“...approve the decision of the President”—and when we say the President, we are referring to the Cabinet—“to acquire the lands described in Appendix II for the public purpose specified.”

And if you go, Mr. President, to Appendix II, you will see some 31 pieces of land in varying sizes to be acquired and if you look at the column on the right-hand side, every piece of land to be acquired is for the construction of the Churchill Roosevelt Highway extension to Manzanilla.

Now, I would hope that the Minister in his winding up would share with this honourable House the amount of money that has been set aside by the Government for the acquisition of land in that region which will see the construction of this extension of the Churchill Roosevelt Highway.

Now, the Minister spoke about the benefits to be derived from this project. I have in my possession about nine objectives and benefits to be derived. The Minister has identified one or two of them, which I have no problem with because I can just add a few, but I will do that shortly.

Mr. President, no one can argue when you are talking about improving the quality of life, making areas of the country that were once inaccessible, accessible to the people. And the Minister made reference to health care services, transportation, business development, industrial expansion. All of these are very laudable objectives and no one can argue against those objectives.

When we talk about the land acquisition under the Land Acquisition Act, we are talking about depriving citizens who are owners of property. But, of course, this is addressed in the law because the Constitution guarantees the citizen's right to the:

“...enjoyment of property and...not to be deprived thereof...”—unless you have—“...due process...”

And 5(1) of the Land Acquisition Act is what we are dealing with today.

The Government would have proceeded with section 3 of the Act by publishing in a *Gazette*, issuing notices. They have gone to section 4 where citizens know that the Commissioner of State Land can now enter their property. And we are now coming to a very crucial stage, which is the third phase and/or stage, where the Parliament, the people's representatives are being asked to grant approval of the decision of the Cabinet to acquire these pieces of land.

Mr. President, I just want to deal with what I call a brief genesis of the origin of this whole exercise. Maybe the Minister of Works and Transport, who might have been an alderman in the Tunapuna/Piarco Regional Corporation under Jerry Narace at the material time, may not be familiar with this exercise.

**2:30 p.m.**

But we are talking about the design of a project that was conceptualized since 2003, and its final designs completed in 2008. So this is not a now-for-now highway. This is a highway that has been conceptualized for almost 20 years. So, many people in the countryside and outside of the countryside, may have been aware, may have been alerted to this highway that some people describe, Mr. President, as a highway to nowhere. I do not support that. I do not support the view that this is a highway to nowhere. My analysis and observations which I will share with this honourable House, tell me that this is a highway to somewhere. This is a highway to heaven. Mr. President, I do not know if you are young enough, but in the late '80s there was a movie on television called, the *Highway to Heaven*.

**Hon. Members:** Series, series.

**Sen. W. Mark:** It was a series. And I want to juggle your imagination, because I think we are back to that stage. We are going into a highway to heaven.

**Sen. Sinanan:** Finally, I convince you.

**Sen. W. Mark:** I think that is very important for us to note, Mr. President. So the question that I would like to raise is, why would a government go into the heart of a forest, where there is reservation in the law to protect environmentally-sensitive species and plants? Why would you go in the heart of a forest reserve in an effort to build a highway, and in doing so, disturb the peace and tranquillity of the very distinct and unique species of monkeys, of fauna, of flora, why? Why was this

highway so important? We were there in 2010 to 2015. That highway was never brought to our attention. Was it? I call on the Minister when he is winding up to tell this honorable House, whether Jack Warner was apprised of this highway to heaven. Whether Suruj Rambachan was apprised of this highway to heaven or was the Director of Highways, one Ganesh, Roger Ganesh. Did he bring that to these Ministers' attention, or did he not?

It is a question I am asking, and I would like the Minister when he is winding up to tell us. Because we did a bypass to Valencia, whilst we were there but we never—I cannot recall this matter, but it started Mr. President, back in 2002/2003, and the designs were completed in 2008. These people who were constructing this highway in the forest, had to be taken to task by the EMA, because they violated and breached the agreement under the EIA. And the EMA had to read the Riot Act at the time for them to comply. Mr. President, I, like the honourable Minister, I am committed to transparency and accountability, and we must come clean.

We know—and I want the Minister to tell this Parliament when he is winding up—the five parcels of land that the Minister of Health, had to recuse himself when this matter was being discussed at the Cabinet, and he then admitted recently, it was a distant cousin who acquired these five parcels. I would like the Minister to indicate, given the 31 legal notices that we have before us, which one of these notices, constitutes five parcels. Because I looked and I do not know, I have not seen, so I do not know if it was a mistake. But we need to know which one of these legal notices, constitutes the five parcels. And are the five parcels, Mr. President, five lots, five acres, 10 acres? No definition is given. And this was done in 2020, when the highway had already begun in the forest. So we need transparency, we need accountability, we need to know when did the distant

cousin, of the honourable Minister of Health, purchase those five parcels of land.

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

**Sen. W. Mark:** And I need the Minister to tell us for the purposes of what he is committed to, that is the hon. Minister, transparency and accountability. Because we do not want to be used as guinea pigs in an experiment that will make the pockets of a few, fatter, bigger, and they become richer. No, I will not be party to such an arrangement. So I want the Minister to come clean, and tell us the truth, the whole truth, and nothing but the truth on this matter.

Mr. President, when we look at the 31 legal notices dealing with Land Acquisition (Requisition) Order, 2023, I have seen people who are alive, well and kicking. I have also seen, Mr. President, in these legal notices, people who are dead, buried, and mingling with the angels in heaven. The question that arises is with this, what is before us, this Motion to acquire land, can the Minister indicate to this honourable House, how many of these people are dead? Because I do not think Mr. President, you will bring notices here, legal notices with dead people on them, to get us to approve dead people, without telling this Parliament that these people are dead, and there are new estate owners replacing these people. Because that would raise some very serious questions, because when cheques are to be made out, when moneys are to be distributed and we approve dead people on these legal notices, who will be getting those moneys? Ghosts? Who?

**2.40 p.m.**

So these are matters that the Minister has a duty to tell us. Mr. President, I attended the funeral of several people whose names are on this list of legal notices to acquire land. So I am calling on the Minister to clear the air. I want to respect the dead. I am not going to call the names of the dead people, but I have been there to funerals of several dead people whose names appear on these legal notices.

**UNREVISED**

So I am asking the hon. Minister to clear the air on how moneys are going to be paid to those people, when we are seeing in the notices the language “now or former”, Mr. President, now or former.

So, Mr. President, let us just be random. I do not want to just pick and choose. I just want to be random. And I want to start at the back. Mr. President, join me. Go to Legal Notice No. 36, join me, you will see who are the people. Under the Schedule that I have before me, it is a parcel of land comprising approximately 0.1198 of a hectare, more or less known as Lot 6, and it is situated at the Eastern Main Road, Guaico, in the Ward of Manzanilla, in the County of St. Andrew. And it is said to belong now or formerly to a gentleman by the name of Martin Aquan. I do not know the chap. “I do not know none of them.”

We go to Legal Notice No. 35, and I see in Legal Notice No. 35 a parcel of land approximately 0.5589 of a hectare, more or less, known as Lots 1, 2, 3, 4, and 5, again on the Eastern Main Road, Guaico, in the Ward of Manzanilla, in the County of St. Andrew and said to belong now or formerly to Michelle Ramdass, to Michael James Udit Ramdass, to Andrew Surjmal, and Danny Guerra. This is the second one that I want to discuss.

But as you go on, Mr. President, to Legal Notice No. 34, again you are seeing where land is being allocated, which is to be acquired I should say, and it belongs to some chap called Keith Quamina. I do not know the chap. So I am calling on the Minister of Works and Transport to tell us if he knows of this individual. I think it is important for the Minister to declare his hands on these matters. The Minister must tell this honourable House if he knows this chap, Keith Quamina whose lands are being acquired. And in 35, he needs to tell us if he knows any of the individuals whose names are in Legal Notice 35.

My information is that there are sitting Members of Parliament on the other

side who are in business deals, business activities, business arrangements, with some of the very people whose names are on these Legal Notices. There are sitting Members of Parliament.

**Hon. Senator:** [*Interruption*]

**Sen. W. Mark:** I do not want to call names because that would be a violation. There are sitting Members of Parliament in this House, and in the other House, who are involved in business activities with some of the names here.

**Sen. Mitchell:** Mr. President, 46(6) please.

**Mr. President:** So Sen. Mark, the Standing Order that has been raised is one of imputation of improper motives. You are walking a very thin line—

**Sen. W. Mark:** I do not want to call names.

**Mr. President:**—with the statement that you are making. So just be careful.

**Sen. W. Mark:** I have the names.

**Hon. Senators:** [*Crosstalk*]

**Sen. W. Mark:** I do not want to call the names.

**Mr. President:** So—

**Sen. W. Mark:** Mr. President, I will be guided by you.

**Hon. Senators:** [*Crosstalk*]

**Mr. President:** Members, Members.

**Sen. W. Mark:** I will be guided by you.

**Mr. President:** Allow me to finish my ruling. So, Sen. Mark, as I indicated, just be very careful about the line that you are going down. Continue.

**Sen. W. Mark:** So that is why I would say, and I would re-christen this talk about a highway to nowhere. I reject that! This is highway to heaven.

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

**Sen. W. Mark:** And there are several people lined up to line their pockets at the

expense of the taxpayers in Trinidad and Tobago.

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

**Sen. W. Mark:** Mr. President, may I advise you that we spent close to \$400 million on phase one of a construction exercise in the forest. One contractor called KALLCO got over or close to \$200 million for this particular contract, phase one. And I do not know if the Minister can tell us, has anyone used that highway thus far? But we have spent \$200 million on one contractor and I understand the total could be between 400 million and 500 million. The Minister would have to clear the air for us on the cost of Phase 1, package, 1A, B, 3, and 4. I am not making any allegations. I am asking questions. I am asking the Minister to clear the air in the interest of transparency and accountability. That is what I am asking the Minister to do. So we are seeing names popping up, who, I am told, have very close relationships with Members of Parliament. And I am asking those Members of Parliament if they can rise at the appropriate time and declare their interest in these matters. That is what good ethics is all about.

So, Mr. President, I listened very attentively to my honourable colleague and friend when he spoke, and he made reference to the need for transparency and accountability, and he made a very important statement. I do not understand if he realizes the significance of his statement, that is the Minister of Works and Transport. The hon. Minister told this Parliament, the Senate, that to open up the countryside, this highway is absolutely necessary, and so necessary to generate business opportunities, commercial opportunities, that two malls have been constructed so far, or are being constructed. And there is another one on its way.

What the Minister did not tell us, Mr. President, is whether on the cadastral sheet, which I have a copy of, whether those malls that have been constructed are going to be acquired as the highway winds its way from the forest down to the



Guaico Main Road into Grande roundabout, and then later on, it goes from Grande/Toco roundabout straight to Manzanilla. I do not know if it is going to end up in front of “Palmzanilla”. I do not know if it is going to end up in front of “Palmzanilla”. I call on the Minister to tell us if this is a highway leading to “Palmzanilla” and to heaven. So these are very serious matters, because, Mr. President, here it is we are told by the Minister that malls are being constructed.

But, Minister, when you are winding up, tell us who are the owners of these malls, tell us. My information is that, on the cadastral sheet, for the lands to be acquired by the State, there is a company by the name of Realsons—R-E-A-L-S-O-N-S. That is the land, both on the southern side and the northern side, to be acquired for public purposes. Mr. President, I tried very hard because my memory tells me, when I did some research years ago, the owners of that company. But you know what? The Attorney General has denied me—not him personally. I am being denied access to the Companies Registry. I cannot access company files. So I now have to rely on memory on Realsons. And my memory tells me, and I may be wrong, that Realsons belongs to the Chin Lee family. My memory tells me that Realsons belongs to Howard Chin Lee, Arthur Chin Lee, and his family. That is what my memory tells me. The Minister could tell me if I am wrong. And not only that, I ask the Attorney General to provide us with the file in this Parliament so that we can understand who are the owners of Realsons.

So the question that I am asking: If Realsons belongs to the Chin Lee family, when did they acquire these lands, if they belong to the Chin Lee family? Chin Lee is a big PNM bigwig. He is a bigwig! This is a highway to heaven! Mr. President, if you buy land at a particular point in time, knowing full well a highway will be snaking its way in front of your land that you purchased and that will enhance and elevate the value of your land, you buy it. You buy it! So the

question that has to be asked—we saw evidence, honourable Mr. President, of work activity taking place on a property that the highway is passing close, close to. And the company equipment that was being worked upon—

**Hon. Senator:** [*Interruption*]

**Sen. W. Mark:**—no, I am talking about the Guaico Main Road now, yeah, Guaico.

So, Mr. President, the highway will be passing in front of these malls. The question that has to be asked: Is a Tobagonian called Allan Warner involved in the construction of that mall? I am asking.

**2.55 p.m.**

I am asking if the Minister could clear the air on this question of who is building this mall. Who are the owners of these malls? Are they friends of the PNM? I am not making any allegation. I am asking questions. Because, Mr. President, I saw with my eyes cranes and equipment operating on that piece of land, you know owned by who? PresTcon. You know who bought PresTcon for \$17 million in April of 2021? The Warner Group of Companies. A company that supposed to cost \$150 million, according to our estimates, was purchased for \$17 million.

**Hon. Senator:** Where do you take up all these kinds of stories from?

**Sen. W. Mark:** These are not stories, these are realities. So, Mr. President, we are for development. We are for improvement. We are about advancing the quality of life of the people of Trinidad and Tobago. We want that. We are at one with the Minister with improving the quality of life, but do not bring legal notices here to this Parliament with dead people on them. You bring legal notices with people who bought land, maybe specifically to gain an advantage in terms of money.

Mr. President, if you buy five parcels of land on the Guaico Main Road in

2010 because you were told that a highway is coming soon near you, and you pay half a million for those five lots, you think when that highway passes in front of your five lots, it will still be half a million? No. It may be 1 million, it may be 1.5 million, it may be 2 million. We do not know. So what we have to safeguard against are unscrupulous merchants of death. “People, who like corbeau” will pounce on a piece of property just to buy it to become a multimillionaire.

So all we are asking the Government is to come clean, be transparent. Is this a family affair? I want to ask the Minister—and I do not know, because I like to be very categorically correct. Hon. Minister, through the President, when you are winding up, tell us if there is a relationship between KALLCO, Roger Ganesh, the Sinanans? Could you tell us if there is a relationship—

**Mr. President:** Senator—

**Sen. W. Mark:**—and how is this impacting—

**Mr. President:** Sen. Mark, Sen. Mark. Two things. One, you have five more minutes. And two, the argument that you are building is coming closer and closer to imputation. So I am asking you to just be extremely careful because to the average person listening, certain statements are being made that would allow them to impute certain activities, which is why that Standing Order is coming up. So continue and just be extremely careful as you wrap up.

**Sen. W. Mark:** Mr. President, I am very cool today. I could have been more explosive. You know I am a very explosive speaker. I am fearless. I have no holds that I bar when I am coming for you.

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

**Sen. W. Mark:** Today I have been highly responsible. I have not attacked, I have not called names.

**Hon. Senator:** What!

**Sen. W. Mark:** I have information packaged here—

**Hon. Senators:** [*Crosstalk*]

**Sen. W. Mark:** I have information packaged here that I am giving the Minister an opportunity to respond. And according to how the Minister responds, then I will go from there.

**Hon. Senators:** [*Crosstalk*]

**Sen. W. Mark:** So, Mr. President, many people in Sangre Grande, the Minister said that people are happy, but I know many people are unhappy too. Flooding has occurred in that part of the country as never before. And I do not know if the Minister could explain to us if there is a link between that highway to heaven and the avalanche that has unleashed on the people of Sangre Grande? I do not know. Maybe the Minister can advise us because people are saying that this highway is causing them a lot of pain and distress whenever a little drizzle falls in Sangre Grande and the surrounding areas.

So, Mr. President, we have raised some very important issues to seek the clarification and the guidance of the hon. Minister, so that the Minister could tell our Parliament, and Trinidad and Tobago that, listen, what Wade Mark has said, Sen. Mark, is wrong and I have the evidence before me. So I am waiting on him very—I am waiting because, Mr. Minister, I have the file. So when you are coming, come good.

So, Mr. President, in closing, we support highways, the construction of highways, as the Minister said, to improve the quality of life, to expand opportunities for health care, to improve the people's standard of living, to reduce time on the road, to improve productivity. All of these things are important. So nobody could be against that.

I want tell you, Mr. President, what we are deadly against is people using

these activities to build a road to heaven. The financial ecosystem is what I am concerned about because my information, Mr. President, the overall cost of this highway is \$1.7 billion. Already \$500 million have been sunk in the forest and they are going into another phase, an extension of the same phase, I should say, in the coming period. So that is what we are concerned about, Mr. President.

So we call on the hon. Minister, when he is doing his part in bringing this matter to a close, to share with us exactly what is involved, and really and so on, whether he is satisfied that there are not unscrupulous people at hand who have taken advantage of this highway to heaven in order to become filthy rich at the end of the process. And that is not something that we will encourage or we will support. We do not support people exploiting our taxpayers' dollars. Right? We do not support that. We support a highway but it must be done transparently. There must be accountability. There must be openness. But any attempt by a few to enrich themselves, Mr. President, at the expense of the taxpayers, we will not support that.

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

**Sen. W. Mark:** And that is why we have brought this to your attention and to this honourable House's attention. Mr. President, I want to thank you for giving me the opportunity to speak on this matter. Thank you very much.

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

**Mr. President:** Sen. Deyalsingh.

**Sen. Dr. Varma Deyalsingh:** Thank you, Mr. President, for allowing me to speak on this Motion where the House is being asked by resolution to approve an Order made under section 5(1) of the Land Acquisition Act, Chap. 58:01, declaring that lands under Phase 1, consisting of packages 1A, 1B, 3 and 4, for the construction of the Churchill Roosevelt Highway extension project are required for public

purpose. I believe it is 32 parcels of land which are under discussion and the total area is that being acquired is approximately 26.4743 hectares of land, and a major part of which are forested areas.

Now, given the varying stages of activities under the Phase 1 package, the Ministry of Works and Transports proposes to vest the lands to be acquired for Phase 1, packages 1A, 1B, 3, 4 in the State, and in so doing seize the actual interest of the properties to be acquired.

So this honourable House is advised that the publication of section 5(1), Order 53 declaration, subject lands would be formally vested in the State, thereby allowing the Ministry to facilitate the completion of work. We heard the Minister of Works and Transport saying that we have come to this stage mainly because we had a legal—a matter of litigation in the Tumpuna region, where in trying to acquire a certain area of the highway, a case went all the way up to the Privy Council, which actually stated that the State was at fault and actually disagreed with the High Court judgment and the Court of Appeal. So probably in this new venture that we are now trying, the Minister of Works and Transport may realize we have to do something different, probably the Attorney General may be the one giving those guidelines to prevent a mistake from happening as before.

So we have heard that the Government decided, in 2015, to continue with the Churchill Roosevelt Highway all the way to Sangre Grande as part of the highway improvement for the entire country coming out of a study in the 1990s. And I might say, Minister Sinanan, I had to defend you recently when somebody said, in a similar vein, what Sen. Mark said, that probably you are rushing this project because you have land in Sangre Grande. But I had to come out to defend you and say, no, this was long before the relevant Minister was in politics. Since 1990, this was a part of a plan. And in November 2006, it was stated that the

Churchill Roosevelt Highway should be continued all the way to Sangre Grande.

So in terms of progress, I have to agree. Because I remember years ago when I used to be travelling down to Port of Spain with my father, we had—the highway had two lanes and actually, when you look at the highway now, there is a benefit. Churchill Roosevelt Highway, I remember you had just one lane on one side, the other lane coming from Port of Spain. Then, it was expanded to Curepe, Mausica; Mausica all the way to Wallerfield. So highway expansion seems to be on the agenda and it seems to be taking a snail's pace, like a traffic jam, to reach where we want to reach.

So I believe that infrastructure plays a vital role in our long-term prosperity. It creates and connects communities. It facilitates trade and commerce. It unlocks land for development and it is integral to our daily life. Infrastructure is the lifeblood of a modern economy. Any responsible government would have the vision for its people and should have this vision for its people. So the benefits are there.

But I also have to speak on the fallouts and the concerns persons may raise, because persons have raised concerns about the expansion of this highway. The Minister was quite honest to say that he would take many sorts of comments from the Opposition and the Independent Bench and at least try to deal with it, and I welcome that approach. And I do in fact have some concerns, concerns not only brought about by my own thinking but also voiced by other persons in society. And I think it is my duty to bring up those concerns so the Minister could look at it and see how best we could move forward, how could we satisfy those persons out there who would have some sort of a reservation.

**3.10 p.m.**

How could we satisfy those persons out there who would have some sort of a reservation? And reservations, I may say, Mr. President, that probably it is well

worth it, eh, because we have had a history of land acquisition with disappointments from the two major parties that we have had in power for years, both sides. So therefore, we have to do something better.

So Government now, I think, would have to go cautious in its endeavours, lest people say that they are acquiring land, they are taking away land from the people and it is an autocratic move. Government has to act within the law and it has to act in such a way that it balances the progress of the country with the plight and concerns of the citizens.

So, what sort of concerns we had? Well, just recently, I may say, there were concerns in the acquisition of land in Tobago, and I am hoping you will give me the leeway to bring this up so, we can see how we can, not make the same mistakes that were there that caused some sort of concerns. And I may say I was a bit disappointed to say that the checkered history we had with land acquisition on both sides would actually generate concern. So, what we need really is to have a transparency, lest any sort of government's good intentions be misunderstood. And I have about five major concerns, some criticisms I give, which reflect, as I said, the views of others. And I want to put on record that I am not comfortable with this Motion, I see the need—I see the need for progress, but I believe we should have delayed this until some of the concerns could be addressed. And one of the concerns I have is one, I would want to label it as disrespect to the Commission of Enquiry that we have presently having an ongoing enquiry into the Point Fortin Highway, and also transparency issues.

Now, this Government appointed a Commission of Enquiry into land acquisition from the Highway to San Fernando to Point Fortin. And I would have rather waited until the recommendations from this body be given to us, to see if we could have prevented or we could prevent any mistakes that were made there. And



you see, the Commission is chaired, I think it was chaired by Retired Justice Sebastian Ventour and the attorneys to the Commissioners were Reginald Armour SC, in another, I should say, incarnation; Fyard Hosein; attorneys Vanessa Gopaul and Rishi Dass. Yes, our own AG was there, trying to see if we could get something out of any sort of past indiscretions, any sort of past concerns people would have.

Would members of this body, this esteemed body, be slighted that now we are going full ahead with another highway extension without waiting for the sort of benefit, from any sort of activity, any sort of enquiry, any sort of recommendations they would give. In fact, our Prime Minister and Cabinet mandated the Commission examine the circumstances in over which \$500 million was paid to homeowners by the People's Partnership administration, to acquire land for the extension of the highway from San Fernando to Point Fortin. And I want to read what the Commission of Enquiry was given to do, three main things, to:

“1. Enquire whether or not the PP ministerial committee fulfilled its mandate; whether there was any breach of duties and whether any criminal/civil proceedings should be initiated.

2. It will also examine the circumstances in which the State acquired or has taken steps to acquire properties that are no longer required and the process by which the State and/or National Infrastructure Development Company (NIDCO) approved acquisitions and compensations.

—And this is the most important one—

“3. It will also recommend a process to be used in future.”

So, this is what I was waiting for. The Commission of Enquiry, which many people claim that commissions of enquiry are a waste of time, they wasted money, criticism out there, we do not get any money's worth for that. And people would

have—even when this came about, people may say it was a political witch hunt, some persons say it would be spending taxpayers' money and not getting food from it. Well, I think we could have waited, I think we could have nudged the Commission and said: What do you need? Do you need anything else to go with your work? Could you fast track your work? Could you give us a partial report just as how we could recommend processes to be used in future.

So, we are driving headlong into more acquisitions without any guidelines being proffered. So, I would like to quote from Asha Javeed's article in *Express* September 05, 2021, and the caption is: "Point Fortin Highway land enquiry starts in November." And it was said in this article that the:

"Works and Transport Minister...had told the Sunday Express that the" — Commission of Enquiry—"was important as the ministry still had a lot of land to acquire to finish the highway and that the ministry had several lawsuits before it.

He said the outcome of the"—Commission of Enquiry—"would impact the price of...land the State had to pay for its developmental agenda."

And—

"A technical team at the ministry produced a report which showed that of the \$800 million allocated for land acquisition..."—only—" \$500 million had already been spent with land acquisition far from complete."

So, NIDCO, who was managing this project at the time, also, with the valuations, the Commission of Valuations, they were part of the picture, then, and I—Commissioner of Valuations, sorry. They were part of the picture then. And I was hoping we could have gotten those guidelines and I am still hoping that we can hold our hand then. So there were questions there, questions that in the public domain, questions among persons. And you see, it is really the citizen out there,

who would be undergoing great financial distress, thinking moneys may have been spent badly, thinking money could be spent badly, who would I think benefit from this enquiry and any sort of recommendations it could make.

So therefore, some people may find it strange that the same NIDCO that was involved in the acquisition of land, is the same NIDCO with the same staff, the same system, involved in the land acquisition. So therefore, you know, it may cause some discomfort. So, I think I need some clarification: Is NIDCO playing a major role, or is it the Commissioner of Valuations who would be playing a major role? And if those were same parties then, how are we going to prevent any sort of reoccurrence to occur?

Again, another concern I had, is also the fact that there was the cost factor, or the timing, or the priority. And I quote a *Guardian* newspaper article entitled: “Unease by Grande residents, experts over \$1.7B CR Highway extension.” This article was by Joshua Seemungal, dated 18<sup>th</sup> of December 2022, and in this article, he quotes:

“Academics, environmental activists and Sangre Grande business owners and residents are all questioning the Government’s decision to move forward with the project, which has already cost hundreds of millions of dollars.”

Despite many objections raised by various stakeholders, one may ask a question: Why is Government insistent on proceeding on this objective with this project? How many persons with this \$1.7 billion taxpayer-funded bill serve? Is this another case of jobs for the boys? How many persons beyond the employ of the Government’s contractor friends will this project really benefit? Same questions that were raised by Sen. Mark.

But the idea is, the article or what I am saying the Fourth Estate, will—and it is their duty to raise concerns. And it is also the duty of the Government to say,

hey, if you are raising these concerns, this is what we propose to do to mitigate against you of these fears and these concerns. And this is why I am raising it.

So, I am a firm believer that right now, you have a situation where money is tight in the country. So, I may believe it might be better from, you know, for a government to say let us fix the basic regular things that the citizens are crying out for; the roads, potholes, flooding, let us try and see if we could solve that. This would have been my idea. But government may realize that, hey, if we extend this, business may flow better, they may have employment in building the highway. So, they may have their reasons but I am saying, we and the population and myself, I would definitely have to raise certain issues that sometimes timing may be of essence, where you say fix the things first, then we go to expand. This would have been my priority. So therefore, the cost factor, the timing, the priority, those were concerns there.

Besides this, we also had some rain recently in the dry season and we were flooded out in the dry season—farmers were complaining, in some areas were complaining, and the Minister knows I always am knocking on his door asking him about Caroni River, when he is going to desilt it and I am glad that plans are going to be on board soon. But you see, persons out there, besides thinking, hey, we could use that money to fix the environment, to buy some sump pumps, et cetera. The other factor involved is, this is prime forest area. We are looking at a green environment, we are looking at the fact that global warming, we are looking at the fact that the forest acts as a sponge to pull in that flood. My fear is, we have not come to grips with the flooding and yet still, we are now going to look at you know, further deforestation in 300 metres east of the Cumuto Road and 600 meters west of the Guaico Trace. My fear is, we could, if we do not manage it properly, we could be creating another flood zone, another area of concern for persons there.

So, Minister, I say, if you are doing that, think about detention ponds, think about those things. These are the things people will want to hear. Think about, you know, what will happen in case you know, that that runoff is no longer there. And again, the forest I am saying, is it worth it to destroy that forest. The environmentalists will need to raise that.

So therefore, my other concern really is the fact that people may say, we did receive a certificate of environmental clearance so therefore, the environmental clearance will give us you know, a certificate for the first package—Phase 1, and we got that. But again, the Fourth Estate had its reservations, the same *Guardian* Newspaper article by Joshua Seemungal, said:

“There is evidence that the Environmental Management Authority...that further investigations to determine the possible environmental impacts of these projects were required.”

And—

“The documents suggested that the team objected to the environmental clearance”—and that is the team within that department—“being given for the project, yet a certificate was granted.”

So, these questions, we may be getting certificates that even the team there in that department may be questioning and the Fourth Estate did raise it.

Another issue I have here is really the fact that the issue of emotional fallout. We are dealing post-COVID here, a lot of persons with mental issues, people are trying to get back their bearings, a lot of distress globally and some persons may have had a home, that home is a comfort to some persons, that home is a place where you go and unwind from the world. You could just go and relax. You get away from the crime, you get away from the traffic and get away from everything and you are home there. Someone's home has therapeutic benefits. If you are

taking away someone's home, somebody who had worked hard, who had saved, who had built up, who has memories, "where I bought this tile", you know, "where I bought this ornament from Kirplani's years ago", you are taking away that from persons. Yes, it is in the name of progress but is the timing right? Should we allow our citizens to catch themselves post-COVID first, catch their bearings, get information from the mental health clinics around, how they are now having more persons coming on board, before we try to disrupt an environment.

Disrupting an environment could cause an adjustment problems for these few persons. And I think yes, in the name of progress, we may, but we have to look at the fact that, is it the time now, should we let our citizenry get that healing from COVID, catch themselves at least.

If my memory serves, I remember going to Toco years ago, we would stop at a little parlour. There was a lady called Miss. Mabel, we would buy soft drinks, et cetera. Her daughter had carried on the environment now. So even in terms of these little small businesses serving people, giving us memories of the event, the ageing population going into an environment looks at familiar landmarks and says, hey, this is where I first did this, this is where I first sat there and chatted with people. This is my memory.

So it is an ageing population. If we destroy certain areas that are there in people's memories, especially, we are now having an increase in our ageing population, we might be doing these people a disservice. Yes, we have to change, but we have to know how we are going about it, what could be some of the repercussions.

So, you have to realize that—I think Sen. Mark raised the issue—when you are dealing with trying to negotiate the estate of an individual, it is not that individual. Land may change, title may change. Those persons may have had

wills made for other persons. So, it is a complicated scenario. It takes time. And this is why the whole process is really going out to the people, advertising it—saying what the Government wants to do, negotiating with the people what is happening, and it is really, it is a time that should be, not only spent in asking about the monetary aspect, but giving the person some chance to see, to choose where they want to live, to give that empowerment. “I am moving out here, but I want this. I want my home to build in a certain way.” This, I think, is a more people-friendly approach. That, yes, it may take more time, but this process itself takes a lot of time, where the Government officials will have to go in and see, study the area and see how we can acquire that land and go through the process of advertising.

And, Minister, I think I read somewhere, we have to advertise it in one daily newspaper. I think we have to move away from that newspaper and say put it in social media also, because some young persons living in those houses would be more in-tune with social media. So, you may have to go around with it in another way from the parent Act. So there are a lot of outstanding questions raised by academics, social activists and businessmen in the area, and I think we have to give more thoughts to this.

Now, the philosophy of compulsory land acquisition has its foundation, as we know, since the feudal time in Britain, where all land was owned by the monarch, now replaced by the State and his subjects held portions of it at his behest. So, this is the way where the absolute monarchy, you know, is replaced by the constitutional monarchy, in a way, where the State still has that right, still has the legal right, to go in after properties—take properties if it is to the benefit of the greater people. And it is not just in the English law.

The American system has it under what we call, the eminent domain, in the

Land Acquisition  
Sen. Dr. Deyalsingh (cont'd)

USA law, where you have a right of the State to acquire law. And even Islamic law, there is something called *Tamīm*. The Islamic state may acquire land due to *Masalah Ummah*. So, it is there. Different areas have it. We have it in our laws. We can use it. We are planning to use it. The Minister said, he probably from the—and I think probably from the last decision where a case went to Privy Council from Tumpuna, they probably have to take it, this aspect, and the State does, definitely would have that power to do it. But how it does it, shows how a government may be caring. Because we have a modern democratic social order, and the State is forever faced with the task of balancing the right of individuals with the needs of the citizenry.

So, yes, a highway can do us better, and I have seen the improvements from what happened when we had the highway extended to Mausica. So, I agree with that. Some complaints I heard are, if we do not get our borders more protected, we may be reaching a situation where persons could bring in drugs to Toco and that highway would be a faster access. So it has to go with a sort of social economic, sort of a criminal—sort of activities. How do you protect that border now if the whole plan is to have a port there? Will that now lead to greater access coming in there, and we still did not get a handle on what is happening there. So, all these are things we need to think about.

So, therefore, the State has a right to recover what it considers its own, and whenever it is required for public purpose and this is so. And what I want to bring is the concern that I had with the fact that if you have the situation where the State goes in to get property for persons, and the State has that power, how could the State do it in such a way that people would not say they are autocratic, they are abusing their power? So, you have to now, and I am suggesting, we have to do it in a way that it can be done that it would not cause great angst among the people—

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because, you see, the Tobago issue—I want to bring that—because I am saying, if we can now manage this acquisition in a way that it would cause less fallout, because remember, fallout of this, people will get angry, people will be anti-government and people will read conspiracy into it. So, we have to get ways that we would have less sort of talk, chatter and political talk coming into the scenario. So, Government has to know how to do things differently.

And, you see, what I am looking at is the fact that I would like to make mention of an article, “Finance minister slams editorial on land acquisition for Tobago airport expansion”. It was on the 12<sup>th</sup> of the eighth month, 2022, the *Guardian*. And that actually, that article, the Minister of Finance had to actually come out and defend his stance, because an editorial of a daily newspaper said that:

“...‘Government has ‘short-circuited’ the land acquisition process for the construction of the new airport terminal building in Tobago because the matter was before the court.’”

So because of that editorial, again, the Fourth Estate came out with an opinion, he had to defend that, and he said that:

“‘The Government has painstakingly sought to negotiate compensation with the occupants for the acquisition of these particular lands for the last three (3) years without...resolution...’”

So, the Minister was probably a bit frustrated, because he went through the process and said how it would have had to go through a procedure of time. And, we will always get persons who would object to change. We would always get citizens who may not want to give up their homes. But this is something we have to understand, and this is where negotiation, good negotiation, this is where the buy-in of the public is really important. So, I think to mitigate that distress, we have to have ways where we can use mediation instead of having litigation. We have to

look at, how we can do it.

So, therefore, even though the Minister was a bit critical of this editorial, I must say that the distinguished attorney, a distinguished attorney, Martin George, did come out with a similar opinion, and I just want to voice it. So, the Minister there may decide well, this is the thinking of some persons, so we have to see how we could look at that thinking, and also go against it. So, therefore, an article, “Attorney: Undue haste, unplanned land acquisition process” *Newsday*, Sunday, May 20, 2018, Martin George had actually said that there was:

“Proper consultation and advance notice must be given to residents of...Bon Accord before telling them that their lands and property would be subject to compulsory acquisition by Government...”

And Martin George also said:

“...that he hoped residents would be given more and credible information on the process of acquiring lands for the terminal.”

So, the same way that happened in Tobago, we have to give Sangre Grande and the environs and the persons there, notice. We have to realize there will be criticism, but we have to learn from this mistake. He said:

“‘We have to bear all these things in mind when you think of it because you are displacing somebody from their house, their home, the place that they hold dear. It is not something that you approach in a vicious manner, you ought to have proper consultation, proper advance notice and I certainly cannot see, all things been equal, that six months is sufficient time to engage in that process,’ George said.

‘I am deeply disturbed by the way this has unfolded, I am hoping that it would get better and more credible information coming out from the authorities as to how they plan to manage this process. In the circumstances,

I can empathise with the general public who are alarmed and confused and concerned at this sudden announcement which seeks to alienates them from their property, '...'

You could imagine somebody knocking on your door with a notification saying that you have to vacate your property? This is frightening. And one of the persons I know down there told me, "Doc, there are squatters who are squatting just around the corner and they—Government—cannot seem to get them out, but now you are getting me out from a home I occupied for years, a home which I thought I had my rights". So, these are the feelings out there and the feelings are what you have to deal with if you want to prevent any sort of fallout.

So, again, I want to say now, I want to come to an idea of transparency. So, we have heard Sen. Mark mention a few names, mention a few Ministers who may have had relatives having land in the Sangre Grande area, who may have to recuse themselves, et cetera. But how do we go about getting land? How could we get it in a transparent manner? So, you found that persons will have a right to know, and should have a right to know, how we are spending state money, my taxpayer dollars, to purchase land from persons.

So you are buying state land with state money, but where the confusion will start is if neighbour X, because he knows somebody, is perceived as getting more money than neighbour Y. This is where the old talk will occur, and this is where sometimes—I think, recently the Barataria/San Juan Member of Parliament had to get a freedom of information request for information, asking for certain persons who recused themselves from land matters, et cetera. So, persons would use the freedom of information, you know, law, to get information that I think should be in the public domain. And if those things are in the public domain, we have to say now, how we are going to explain it to the population. It is just not us, eh.

Mr. President, I recently had a vacation in Aspen in Colorado, and there was a great problem there, and I just would want to read something from there too. “Land exchanges serve the wealthy”. It is an article by Erica Rosenberg, Writers on the Range. It was April 22, 2023, where she said:

“...the agencies suppress public scrutiny by refusing to share land appraisals and other documents with the public until after the public process has closed—or too late in the process to make it meaningful.

The proponents and their consultants have ready access to these documents, yet the public, which owns the land, does not. In Valle Seco, appraisals were completed in August 2020, but they weren’t released...until December 2021, just a few weeks before the scheduled decision date for the exchange. Advocates managed to pry the appraisals out of the agency only after submitting multiple Freedom of Information Act requests and taking legal action.”

So, it is not just here. It is other countries, and we should have a way, a transparent way, to say, “This is the land, this is what we are selling it for”, and let it be in the public domain.

And, you see, why I want to go this way, there was an article, Sir, I would like to the read, and it was from Afra Raymond, “Property Matters” January 25, 2018, where he basically explained:

“The State can acquire property in two main ways—

1. Private Treaty—which is the negotiation process used for normal, open-market purchases;
2. Compulsory Purchase—the Land Acquisition Act...”—which we are using—“allows the State to acquire private property for a public purpose without the owner’s agreement.”

So, people may say, it is always better to go the way of trying to get the private agreement, but if you go privately, you will have to make sure that you are doing it in a manner that I am saying that my neighbour would not be getting more than me. So, I think, it should be out there in some public domain for people to see.

So, according to this article, he said:

“Almost all landowners would prefer to have their property purchased by the State via Private Treaty since that guarantees more prompt payment (usually) and allows them more room to bargain for higher prices.

The compulsory purchase option does not allow the landowner any choice so it is often used together with the private treaty approach.”

So, the Government may have to have that blend. So what I want to say here is simply this. According to his article, he said that:

“The main objection from the State to the compulsory...approach is that the private treaty approach is supposedly more efficient.”

He contested that notion. He said:

“...as we see time and again that private landowners are able to extract sums way in excess of what would be payable under the compulsory approach.”

And he said:

“Just think of Eden Gardens, in which the compulsory approach would have allowed the State to lawfully acquire that property for \$35M, yet the HDC paid \$175M.”

So, therefore, we have to have some way of getting that out to the public before any transactions could occur, and this is my suggestion. Because, you see, we would always have old talk, but if we do something more transparent, if we put that out there—it is let the criticism come before—let us get that before; we wait until after the fact.

**3.40 p.m.**

You see, what I am doing here is probably protecting the Government from getting a lot of political noise. So I also say, Sir, I love my country and I understand the need for progress is there. I understand the need to do—

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

**Sen. Dr. V. Deyalsingh:** Thank you, Sir. The need to be transparent is there. And, you see, it is not just here, I mentioned globally you have that problem with acquisition and persons pointing fingers. And I want to quote a *Journal of Mechanical and Civil Engineering (IOSR-JMCE)*, and this journal, Volume 12, Issue 5, October 2015—and it is “A Critical Review on Land Acquisition and Valuation Process across the World”. Well, we were mentioned there also. So it is not just across the world, it mentioned different countries—whoever can get that article—different countries were mentioned. And it made mention, Sir, that they were critical of Trinidad and Tobago’s compensation. This was one of their criticisms, one of their problems mentioned in this global article. So even on the world scene, even in that article, we would have to realize that we need to do something better if we want to have a better outlook from outsiders coming in here who may want to do business and even purchase property and start something.

So, in conclusion, I say, we need to modernize. And I look at the concerns that persons have. I look at concerns that I still do not think it is being addressed sufficiently. I looked at the reasons that—you know, the main reason I give is I think the disrespect, I consider, for the commission of enquiry, give them what we mandated them to do. I look at the fact that—I am hoping we could delay until we get this report. I am hoping we could delay until we could get other things in order. I am hoping that by, you know—we could have a situation where the finger-pointing at both sides in the past that occurred, that could be something of

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the past; the alleged overspending, misconduct, political noise.

So we need a population—to show the population—we need to show the citizenry that we could do something better; we could do something a little more digestible. And we need to put things in place, I think, before we could proceed. Thank you, Sir.

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

**Mr. President:** Sen. Lutchmedial.

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

**Sen. Jayanti Lutchmedial:** Thank you, Mr. President, for recognizing me and giving me the opportunity to contribute to this debate where the Senate is being asked to:

“...approve”—by way of Motion—“the decision of the President to acquire...lands...”—which has been gazetted and are described before us.

There are 32—31 or 32 pieces in total, I believe—32 pieces of land which are being acquired for the purpose of the construction of the Churchill Roosevelt Highway extension to Manzanilla, stated as:

“...Phase 1—Cumuto Junction to Toco Main Road-Chainage...”

Mr. President, I just wish to make two brief points. I think a lot has already been said on this Motion but I just want to make two brief points based on things that may have been raised by speakers before.

The first point deals with the—in the description of the lands, and Sen. Mark alluded to it, but in all of the descriptions for the 32 parcels of land, we see that where ownership is described, you know, the use of the term, “now or formerly” owned, and that is typical in legal documents and so on. We see those descriptions being used with in respect to parcels of land. But Sen. Mark raised the issue of persons being deceased and still being described as owners in some of these

descriptions, as the parcels of lands are scheduled in the documentation before us. So this is just merely a word of perhaps caution because what happened in another land acquisition matter, involving the airport, the ANR Robinson International Airport in Tobago, was that you had persons making allegations against the State that they were not being paid and compensated for lands which the State had sought to acquire.

You had statements being made by the Government that people were—and I think the term that they used was “double-dipping”, people were trying to double-dip and acquire lands, and eventually the matter ended up in court, in the case of one, Mr. Lovell, took the State to court and only at that point in time investigations were done and it was discovered that prior to the land acquisition being done, Mr. Lovell Sr. had actually transferred the land to Mr. Lovell Jr., and Mr. Lovell Jr. did not in fact participate in the compensation process but that the moneys had been paid to his father. And the State had to concede that his section 4(a) rights under the Constitution had actually been breached and they were forced to pay a second time.

So I make this point simply to say it is in the public interest, in the interest of the taxpayers and so on, that we proceed with caution when we are embarking on this land acquisition exercise because you do not want to find ourselves in a situation—the Minister in his piloting of this Motion made the point that they are being proactive in terms of having the acquisition being done. I think the phrase that he used before, “a shovel is even turned”. Now, when you do those things and the project has not actually reached the stage where any activity may be taking place on the land or there may be subsequent transfers being done—we have a lot of issues with land title in this country and it goes way, way, way back, and I know that efforts are being made to sort it out but you have to be cautious because we do



not want the end up in a situation like what we had happening in Tobago where the legal owner actually ended up having to take the State to court and then the State having to pay twice because, of course, by the time the matter went to court and the State investigated and conceded that they had paid the wrong person, the person who received moneys and who had submitted valuation reports and so on, actually was already deceased. Because I heard when Sen. Mark raised the issue of knowing personally that some of the persons named in the Schedule here, in the descriptions of the land appearing in our documents before us, that—I heard on the other side they are talking about the estate and the estate, well, as a practitioner, let me give you some free legal advice. You are already spending \$1.7 billion on a highway, so take some free legal advice.

Estates in Trinidad and Tobago are very complicated, persons can become—they could get Letters of Administration; those things could be challenged. You could have a grant of probate being challenged and then revoked. You could even have, you know, matters being filed in the court where deeds executed just prior to a person, you know, dying being set aside. We have a lot of issues raised when it comes to land and probate and estates in Trinidad and Tobago.

If it is in fact true that some of the persons named here who are—and I assume that the reasons why their names are included here in the descriptions of the land is that because that is the information in the possession of NIDCO and the Ministry of Works and Transport. If that is the current information that you have and some of these people are now deceased, it would be a worthwhile exercise, simply to say, to go and check very carefully about who has inherited, who stands to inherit, whether—people in Trinidad and Tobago do not even know that you are supposed to apply for probate and Letters of Administration when your parent dies. People do not understand the concept of joint tenancy. They do not know how

land has to be sometimes subdivided. They do not even understand the rights of cohabitants. They do not understand the rights of children born outside of wedlock who also have legitimate claims to property. And so, it could be very complicated. And just because the issue has been raised here today about the persons being named not necessarily being the current owners for the simple reason that they are dead, I would urge some caution when we are dealing with this, because at the end of the day it is a state project and it is the State's money that would have to be spent in order to facilitate this process.

Now, the second thing that I just want to mention is that the—and I heard in the other place when the same Motion was being debated that the Minister was very critical about persons talking about “a highway to nowhere”. The genesis, as far as I know, of that statement and that phrase, “a highway to nowhere”, was actually in the case brought by Fishermen and Friends of the Sea—and I would declare that I was a part of that matter—because they had concerns about it and it is actually the judge who said, “It is not a highway to nowhere”. And he said that in the context of his concerns about the grant of the Certificate of Environmental Clearance by the EMA because it dealt strictly with that 5,000-metre portion that was the subject of the CEC, and that was the piece that was running just parallel to the boundary of what is known as the Aripo Savannas Nature Reserve.

Now, the issue here in this matter—and I think it is important for us for the purpose of land acquisition as well. One of the critical issues raised in that case—and I think Sen. Deyalsingh made reference to the article which explained that there were some concerns by staff within the EMA who did not agree with the grant of the CEC, and these are the facts all well set out in the Privy Council judgment. They were concerned because of the absence of certain information in the Environmental Impact Assessment, and that is the document that really informs

the EMA when they are determining whether or not to grant the Certificate of Environmental Clearance. So they granted the CEC for what was then Phase 1 of package 1A of this highway. And if you look at NIDCO's website, you would see that this entire highway involves 10 packages, and from what the Minister said today, these lands would involve phases 1A, 1B, 3 and 4, so there are many other phases to come later on down the road. And the relevance of all of this, really, is that when the court was looking at the issue, our very own—our own Court of Appeal here had thought that, you know, not really having the benefit of what you call a cumulative impact assessment was lacking.

A cumulative impact assessment does not look at only the area that you are looking to develop but the entirety of the project, and what would be the entire impact of a whole project. It would look at the positives, as the Minister has come to explain today, the positive economic benefits and so on; certainly economic benefits to the persons who would now have highway, road-front access for their pieces of land, and they could develop those land and so on. But the problem here—and one of the things that came out in the evidence in that case is that all the plans had not been completed, so the actual route and the specific route of every package from 1A to 10 had not been determined at that point in time.

**Sen. Mitchell:** Mr. President—

**Sen. J. Lutchmedial:** So I would like to ask the—

**Sen. Mitchell:**—please, on a point of order, 46(1), please, it has nothing to do with the case that was already decided.

**Mr. President:** So, Senator, as much as you are talking about the project itself, which is a part and parcel of what we are doing here by way of land acquisition, just make sure that they both tie in—

**Sen. J. Lutchmedial:** Yes.

**Mr. President:**—in relation to specifically what we are doing, which is the acquisition of the land.

**Sen. J. Lutchmedial:** Yes.

**Mr. President:** Continue.

**Sen. J. Lutchmedial:** So I am getting to that. The acquisition of land is something that may have to continue as they go along to different phases of this project. But in the same way that they are unable to do a total assessment of the complete environmental impact of the project, it is the same way that you are unable now because the plans are not completed. And I was going to say that I would ask the Minister to say and to clarify, because the information on NIDCO's website is that plans are still being completed for other packages of this highway. In fact, what is currently on NIDCO's website is that:

“...50% of designs have been completed for the remaining packages of Phase 1 to 3.”

So I think it is important for the country to understand how much of the plans have been completed for the entirety of this project. If the project is meant to tie in to other aspects and other projects, such as the part of the highway and the roadway that goes from Valencia to Toco, and the roundabouts and all of that, and connect the entire thing together—if those plans are not yet developed then we may be seeing more and more land acquisitions.

**3.55 p.m.**

It is important to people for the purpose of planning. It is important to people for the purpose of development. Some people knowing, and if they know beforehand and have inside information, that the drawings are being done in such a way that they will now have road front and highway front access, and that they may be able to apply to the Ministry to get highway access, may invest money in

developing their land. Others may know that they are in the path of the proposed highway, and may then wish to make other decisions.

So you are dealing here with people's property. You have a constitutional right to your property and to not be deprived thereof except by due process. And I would say that part of the due process that is involved here is proper planning, proper information being put out on the entirety of a project, and not just these bits and pieces here and there. Like what was done when it comes to the environmental impact, because it is really not in anybody's best interest.

At the end of day, the argument being put forward—and I am not suggesting this or speculating about it—it was the EMA's evidence and the Ministry of Works and Transport's evidence before the court in that particular matter of Fishermen and Friends of the Sea, that they had not completed the designs. In fact, the Ministry's approach was they did not have specific design and operation of any possible future packages, so therefore it was unreasonable for them to defer the application for the CEC for that initial Phase 1 stage. So that was the second matter that I wanted to raise.

As an aside, Mr. President, although Sen. Deyalsingh referred to it, I was also looking at the article talking about the unease. One of the things that I noticed was that there was a particular person, who I think the Minister has had some toing and froing with through the media, with this Dr. Furlonge, I think is his name. But he had made mention that there were alternate routes and alternate ways that they could have achieved the same objective of creating access to this area of the country. Dr. Furlonge had suggested perhaps cheaper and easier ways. I think the Minister did respond through the media about it.

But what I would just ask today again for clarification on, would any of those alternate routes which were rejected, would they have involved the

acquisition of private lands? Because, again, I think that is just important information. If it does, okay, if it did not, well, perhaps the Minister could say why this route was chosen, where it was necessary to acquire private lands, or if anything would have changed, and if it was possible to choose a different route. Because the justification given for the particular route being chosen here was, perhaps, the grade of the land and so on, and how I think it was supposed to be a shorter distance. But if you have another way of accomplishing the same objective, maybe a little longer, I do not know how much more costly it would have been. But if you could weigh that against the decision to acquire private lands, well, I think that justification ought to be made public, and that is why we are, of course, here. We are here to ask questions about those things.

There are alternative—some persons have been commenting on the issue of land acquisition, because of course we have had, as Sen. Deyalsingh mentioned, this issue in Tobago. We have had the issue with the Point Fortin Highway, and now it is coming up again with this Toco to Manzanilla Highway. I think that some persons have expressed displeasure with the valuation process, and being paid a sum that would be determined and agreed as compensation.

In other countries, and I think the World Bank actually has some information put out about it called “land for land compensation” and, again, I just wanted to pose the question as to whether any sort of land for land compensation scheme is being contemplated in the context of this particular project. Not just where these 32 lots are located, and as an alternative to cash for these 32 lots, but simply because of the fact that the entire project you do not yet know—or we do not know, I do not know if you know—but we do not know if further lands would need to be acquired, and whether land for land compensation is something that is being considered.

Because if persons are being asked to surrender their lands for compensation, and they are simply paid in cash, it may be difficult, given the economic circumstances and so on right now, for persons to find alternative pieces of property to purchase and all of that, in the area that they may wish, and you do not know, again, what plans people may have acquired these lands with. So cash compensation may not always be adequate to compensate people, because you cannot put a value sometimes on emotional attachment.

I do not think my generation, but generations before me I know are very emotional when it comes to lands that they inherited from their forefathers and their parents and grandparents, and so on. How do you put a value on something like that? Perhaps it may be easier if instead of cash there is a land for land compensation scheme. So I just wanted to perhaps throw that idea out there, and ask the question whether or not something like that and a scheme such as that is being considered.

Mr. President, at the end of the day a lot of questions have been raised about persons benefiting from a project, and persons who may take advantage of inside information about a highway and acquire property, and so on. For that simple reason I say, and I make no comment on whether it is true or untrue, but I make a comment to say that identifying the path through which this entire project will pass, identifying early in the game who may have to sacrifice their land and who may benefit—because one of the critical things, and one of the critical objectives of a highway, is that the value of land adjacent to the highway is going to increase. That is a given.

You have to be very clear, and if you want people to buy into a project and to see the value—and I am not saying that there is no value to the project, there is—but if you want people to accept that there is value, and in the interest of

transparency and accountability, then I think that more information about the plans dealing with the highway, where it will pass and who are the current owners of the adjacent lands. Because what you do not want happening is that persons who are unaware of the path that the highway is going to take, are being approached by persons who may know, and their land being bought at peppercorn rates, and for very little and next to nothing, only to sign over their property, and then find out in a year or two years that there is either compulsory acquisition by the State, or that a highway is going to be passing in front of that land, and had they held on to their property they would have been in possession of something that is far more valuable than what they had when they sold it. You do not want the persons who may be equipped, who may have the resources to quickly approach and offer quick cash buyout of this property and so on, taking advantage of the people who own the lands in the vicinity of this highway.

So that is my very brief intervention and my few comments that I wish to make. Thank you, Mr. President.

**Mr. President:** Sen. Teemal.

**Sen. Deeroop Teemal:** Mr. President, thank you for the opportunity to contribute on the matter that is before us today, that is dealing with the land acquisition for the Churchill Roosevelt Highway extension to Manzanilla, Phase 1, Cumuto Junction to Toco Main Road.

Mr. President, land acquisition, particularly for highway projects, has a very checkered history in Trinidad and Tobago. I would recall even in the 1970s, coming out of the University of the West Indies as a graduate engineer, one of the flagship projects at that time, which was during what we refer to as the “oil boom”, was the East-West Corridor project, that looked at the dualling of the highway from Port of Spain up to the San Juan area, as phase one.



I would recall the entire project was completed, including the upgrade of the Beetham Highway and all of those things, and just before the interchange by the Despers panyard, there was one property that the Government of the day failed to acquire on a timely basis, and that project had to open. You had fully dual lanes, and when you reached that point there was that constriction. That took almost three to four years, from what I recall, for that constriction to be removed.

I am sure I do not have the figures in my head, but it would have cost the State a lot of money. Not only from the moneys that were invested, and not getting a return on the investment, but also the disruption to the travelling public and the driving public, that had to use that newly developed project. Then, of course, we would have known about the dualling of the Princess Margaret Highway at that time, and the Guayamare residents who had taken legal action, protest action that turned into legal action, because they did not want to give up their properties under the conditions that were being offered. Actually, that matter took even longer to sort out, and the highway had to be opened with that section not being opened for quite a long time and, again, a tremendous cost to the State.

What that did, it throws all of the feasibility studies into the dustbin, because if you cannot utilize an investment within a period of two to three years, to get a return on your investment, then all of the assumptions, all of the feasibility studies that are done, really become a waste of time.

But this practice unfortunately we have seen continue in our nation, because, I mean, the most recent being the extension of the highway from San Fernando to Point Fortin, and the chaos and the confusion surrounding land acquisition, where there are even reports of people being doubly compensated for lands that were acquired by the State. And the lands that the State paid for yet have not been formally vested in the State. So we have paid for land, we have acquired land, and

lands are still not formally vested in the State.

Now, all of this happened because highway projects in particular, because of the routeing and the extent of the routeing, transverse many properties, not only state but private, as this particular project is doing. Although land acquisition is guided by the Land Acquisition Act, Chap. 58:01, a look at that Act would see that the procedures for land acquisition are fairly well delineated in that Act. In particular, what we are looking at today, acquisition of land for public purposes through compulsory acquisition by the State, is covered by the provisions of that Act, as per previous projects as well, but yet still this land acquisition has been a stumbling block with regard to efficient completion of projects and completion of projects within the projected budgets.

So that is why I was assured. I felt happy when I heard the Minister of Works and Transport say that this is a change that is being implemented here, in that, the Government recognizing the drawbacks and the setbacks that could come out of land acquisition challenges that we have faced over decades, the Government is taking the approach that this round the lands are going to be formally vested in the State, prior to all of the compensation and all of the matters being sorted out.

Mr. President, one of the things is that although the Act gives the State, it gives the Government of the day the power to acquire land on a compulsory basis, the fact that also the Constitution gives one the enjoyment of one's property, it places a serious responsibility on the State. For although the law is on your side, it does not necessarily mean that the law is going to bring about contentment by those that you have to engage in with regard to acquisition, which is why within the Act itself there is a definitive section on compensation.

A lot of the times we would not realize that if you as an owner of land that is

being acquired by the State on a compulsory basis, you are not satisfied with the compensation package that is being offered by the State, of course you have recourse to a judge, and you can take up the matter in court and seek redress from the State with regard to the extent of your compensation package.

**4.10 p.m.**

So yes, the right to enjoyment of property is there enshrined in the constitution but at the same time for compulsory acquisition which is necessary for, you know, national development, national growth, and for projects that would contribute positively to the gross domestic product of the country, that it still allows for owners seeking compensation with regard to seeking redress with regard to compensation. And to build on the point that was raised by the Minister of Works and Transport with regard to being proactive with regard to acquisition, because I think a lot of the problems have come about because we have not been proactive. I mean, the things about notices are there in the Act, it is clearly laid out, the requirements for notices and all of the procedures are outlined.

But in terms of compensation I think we always need to address, one, the time it takes to pay compensation to persons whose lands are being acquired. Now, I think there is definite room for improvement, because the time to pay is often a lengthy process. And this lengthy process brings about anxiety, as Dr. Deyalsingh was raising, amongst persons. It creates a lack of trust amongst people in that the longer the State takes to settle with land owners, the trust deteriorates over a period of time because people would think that the Government “trying anything”. So that length of time for compensation, although it is not legislated, it is not there in the Act, one of the persons factor is that we must be conscious and a reasonable time for compensation should be looked at.

Now, does the time for compensation depend on the fact that the process for

formally vesting land in the State, is it a lengthy process? And from what I understand, based on the fact that the Commissioner of State Lands is involved, then land law is so complicated in itself, land conveyancing takes a very long time in this country we know, it is a complex process, I think Sen. Lutchmedial was alluding to that in her contribution, and is this the reason sometimes for the lengthy time that it takes for compensation? And in the case of relocation, where somebody actually has to relocate from their land that they are living on, if it is not just agricultural, the question is asked: How can a person relocate if they do not have the moneys in hand? For, if you do not have that money in hand, the cost of relocation, getting a new piece of land, erecting a new building or buying a new property, may be far out of the reach of the person that is being asked to give up their land through compulsory acquisition.

Now, if we look at the Land Acquisition Act, Chap. 58:01, the Act actually allows for an advanced payment to be made. And I am asking the question if the Government, in order to reduce the time to facilitate—one. Two, to facilitate ease of relocation, if the Government is giving consideration to utilizing that provision in the legislation for an advanced payment? Now, I am not suggesting an advanced payment equivalent to the full valuation itself, but probably a percentage of the valuation that would enable the person, bring a degree of comfort, cement a degree of trust that look, yes, I am getting a sum of money based on an agreement, but I am getting a sum of money in advance that I could utilize to relocate.

And Mr. President, my contribution is going to be brief because I just wanted to highlight the compensation aspects, because I think that is where all the matters head to court because there is disagreement on the quantum of the compensation. And I think over the years the respective governments who have been in power have recognized that compensation has to be commensurate with

market value, the potential of the land, even projected value of the land, and I think the compensation packages that are being offered of late are fairly—we have improved a lot. I do not think there is any compensation, compulsory compensation, where persons are being asked to give up their land for peppercorn rates.

The Act allows for someone challenging that in court, in front of a judge, so that the whole aspect of compensation I think, quantum may be the least part of the problem. But procedurally, I think, although the law allows for compulsory acquisition, I think we need to be mindful of the human factors, being displaced from your land and allowing for special measures that would alleviate the worry and that would alleviate the anxiety. And leave our citizens of Trinidad and Tobago whose lands are being acquired, leave them still in a good state of mind and still feeling very strongly for their country as a citizen of Trinidad and Tobago. I thank you, Mr. President.

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

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

**The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan):** Thank you, Mr. President. Mr. President, I want to congratulate Sen. Teemal on actually understanding the compulsory Land Acquisition Act and understanding what we came here for today. Sen. Lutchmedial tried to save the day for Sen. Mark and put some points on the table. Sen. Deyalsingh also had some concerns and Sen. Mark, true to form, just came to tarnish the reputation of citizens of Trinidad and Tobago, true to form.

Let me start with the comments from Sen. Mark. Sen. Mark spoke about the cost of the land acquisition.

**4.20 p.m.**

The cost of the land acquisition, in this case, was established by the

Sen. The Hon. R. Sinanan (cont'd)

Commissioner of State Lands where we have the budget to work with. And if I am to go back to the track record of this Government in terms of land acquisition, I will just draw Sen. Mark's attention to the Curepe Interchange where his government, between 2010 and 2015, had budgeted \$120 million for land acquisition. This Government came in, in 2015, and we knew about the stalled project, re-budgeted that to \$80 million and as we speak, and utilizing the compulsory land acquisition, we are, at this point, 80 per cent completed with payments and we are just about \$40 million. That is seeking taxpayers' interest.

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

**Sen. The Hon. R. Sinanan:** So, Sen. Mark does not have to worry about the budget. And I will also draw Sen. Mark's attention—and a reminder of his government and how they dealt with the San Fernando to Point Fortin land acquisition, where, unlike what we are using here, the compulsory land acquisition aspect, what they did was employ NIDCO to hire some consultants to negotiate, and NIDCO signed off on the final payment.

In 2009/2010, under a different regime, land acquisition on that highway was budgeted at \$400 million. By 2011, a Cabinet Note was passed by the then government for \$800 million. By 2015, 50 per cent of the land was acquired, \$512 million was spent. There were six matters before the court where the claimants were claiming that they got letters from NIDCO for \$361 million—that is just six. And you had close to 500 properties still to be acquired, pushing the land acquisition to way past \$1 billion—from \$400 million to way past \$1 billion by the time we completed.

Sen. Mark also spoke about a highway being built on the reserve. I want to remind Sen. Mark—and he spoke about this great bypass road being built by the UNC. Well, let me remind Sen. Mark, that bypass road was built closer to the

Sen. The Hon. R. Sinanan (cont'd)

Aripo Savannas than this highway. If you drive on the bypass road now you will see a green fence, fencing off the Aripo Savannas. That bypass was built on the reserve portion just before. We are 100 metres away. And this was tested in the Privy Council, and this Government not only won and was allowed to continue the highway, the Government has ensured that the Aripo Savannas is well protected.

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

**Sen. The Hon. R. Sinanan:** So there is no issue about disturbance of the natural flora and fauna of that area. The highway is not being built in the Aripo Savannas, contrary to what the UNC has been pushing in the public domain. The Privy Council has ruled against that. And I was happy to hear Sen. Jayanti said she represented the Fishermen and Friends of the Sea. Of all people, she should know better. They lost the case.

**Hon. Senators:** [*Laughter*]

**Sen. The Hon. R. Sinanan:** They lost the case. Sen. Mark spoke about—I mean, and I really did not want to speak about it, about people on the list who would have passed some time ago and how we are going to deal with that. And what is strange is that Sen. Mark must know that this is something you deal with on a daily basis. Most of the people whose names came up on the lands are people, from my information, who have owned those lands for 40 and 50 years. It is not people rushing, as Sen. Mark said, to go and buy land because a highway is passing there.

Sen. Mark, you know, made a—his speech was on words to get sound bites, “Palm-zanilla”—

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

**Sen. The Hon. R. Sinanan:**—KALLCO, Warner, Chin Lee, five lots, malls.

You know, it is so sad that everything there was so contrary to what we came here for, but that is the sound bite Sen. Mark was looking for. When you look in terms

Sen. The Hon. R. Sinanan (cont'd)

of the Chin Lee, I got a WhatsApp from Minister Chin Lee, he said, “But my father bought that land 40-something years ago”. Forty-something years ago there was no intention of any highway coming there. But the name Chin Lee sounds PNM, right? So Sen. Mark will throw that in.

Sen. Mark knows that if somebody has passed, there is—and we have it, section 21(2) that allows you to place that money in the court and the court will determine, if the probate is not completed, that that money stays in the court and when the rightful person has the required documents, then they actually go to the court and they make the claim on it. That is a normal process. And we do not deal with the individual, we deal with the title owner when you acquire land. You deal with the title owner. And the person who feels that they are entitled to that sum of money will have a process to prove that they are entitled to that sum of money. Simple.

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

**Sen. The Hon. R. Sinanan:** I mean, I know Sen. Mark and his team knows every single thing about how to get money for land. I mean, I am dealing with a process—I mean, they were in charge of the San Fernando to Point Fortin Highway, you know. That has caused a commission of enquiry in this country, you know. And Sen. Mark knows about dead people, and dead, and “all dem kinda thing”. Because I am dealing with one case in that, where a piece of agriculture or land that was never designated for use, a claim on that where somebody is claiming that he was going to build, a what?—a factory to make coffins on the south highway, and claiming \$40-something million for three acres of land that has no approvals for anything, and bring a document to show, yes, he has approval. When we enquired on the document, it was said, “but that person has never worked in that corporation”, so that document is fraud.



Sen. The Hon. R. Sinanan (cont'd)

Those are matters that we are dealing with in the court, coming out of the San Fernando to Point Fortin Highway. So I am not too surprised that Sen. Mark speaks about, you know, people who would have passed, and how to get money, and how not to get money, and things like that. They specialized in land acquisition the wrong way.

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

**Sen. The Hon. R. Sinanan:** Sen. Mark talked about the Warner Group having land up there. Sen. Mark passed and saw a crane, I understand, on a construction site marked PresTcon and said, “Ah, Warner own that land”. Mr. Warner, and PresTcon is a company doing business in Trinidad and Tobago, and you will see their equipment all over. If you go through Trinidad and you see contractors’ equipment all over, doing road work, doing that, it means they own all “de” land? Come on. Let us not sully the name of people unnecessarily in this country.

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

**Sen. The Hon. R. Sinanan:** And I must compliment Sen. Mark though on one thing that he said today. I do not know if he got the message, but I presumed after last week Wednesday in the Lower House that the message was clear. Do not ever say that that is a highway to nowhere, because we have to go and campaign there soon. So I see he has changed the tune and said that is a highway to paradise. I was trying to convince them of that all the time. I am from Sangre Grande and Sangre Grande is paradise.

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

**Sen. The Hon. R. Sinanan:** So I want to thank you, Sen. Mark, for ending that statement, that this is a highway to nowhere. Sen. Deyalsingh spoke about the land acquisition. Sen. Deyalsingh, I give you the assurance that the compulsory land acquisition takes everything into consideration even the social aspects—even the

Sen. The Hon. R. Sinanan (cont'd)

social aspects, and it is something that is done fair and across the board. It is very transparent. That is why we are here today, because it actually comes to the Parliament. It “cyah” get more transparent than that.

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

**Sen. The Hon. R. Sinanan:** Sen. Deyalsingh said—and I really need to—Sen. Deyalsingh, this is not personal to you. However, you and I are Senators, we also have a bus route pass, and we both live in Valsayn. I heard you said you do not see the need for a highway to Grande. I want to ask you one day to take a drive with me. Put away the bus route pass. Let us try to enter Sangre Grande after four o'clock in the day, and you will see we will spend four and five hours to get to Sangre Grande. It is really, really, you know, unacceptable that we can have highways going all the way to Point Fortin—

**Sen. Dr. Deyalsingh:** Do you mind giving way?

**Sen. The Hon. R. Sinanan:** Sure. Sure. Sure

**Sen. Dr. Deyalsingh:** No, I said I see the need for that highway but not at this time.

**Sen. The Hon. R. Sinanan:** Right. So I will tell you what, the school children who have to get up at three o'clock in the morning, are we going to tell them that maybe in the next life they will be able to get a good night's rest? This highway did not just jump out of a hat. This highway was on the cards since the highway—the dualling of the highway, as Sen. Teemal said, when it left Port of Spain, it is long overdue. If not now, when?

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

**Sen. The Hon. R. Sinanan:** We have highways building to San Fernando, to Point Fortin, why not build a highway where one-third of the country—

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

Sen. The Hon. R. Sinanan (cont'd)

**Sen. The Hon. R. Sinanan:**—one third of the country has been marginalized? We are not saying we are building the highway all—we are building the highway in phases, and that is why very soon the people of Sangre Grande will have access to at least Guaico. And then you take another phase and you go to Sangre Grande, and then you go on to that beautiful Valencia to Toco road that has just been completed.

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

**Sen. The Hon. R. Sinanan:** Then you move on to Mayaro—to Manzanilla, Mayaro, then you come back to Princes Town and then back to San Fernando. That is the dream for Trinidad and Tobago, that all towns and cities should not be more than half an hour apart.

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

**Sen. The Hon. R. Sinanan:** But I think the people in the east need that highway now, so I do not agree with you that now is not the time. Sen. Lutchmedial—well, I think Sen. Lutchmedial tried to help Sen. Mark. But I do not think anybody can really help that performance by Sen. Mark today. It was about tarnishing people's reputations. Just to say that the compulsory land acquisition is a very fair process. It is a very fair process. And as Sen. Teemal indicated, if you are not satisfied at the end, you can still go to the courts and have that redress.

Sen. Teemal, you spoke about the time it takes for land acquisition, and I agree with you, because there are still people in the San Fernando to Point Fortin Highway who have not been paid due to several reasons. There are several issues on the San Fernando to Point Fortin Highway. That was a mess. That was a mess because a contract was awarded for the entire stretch of the highway.

Now, compare that to how we approached this. This is in phases, and as you issue a phase you make sure you have the land in hand. So you issue a contract,

Sen. The Hon. R. Sinanan (cont'd)

which was supposed to be about \$4 billion, ended up being close to \$7 billion by the time it is finished, or 8, or more, land acquisition tripling, but you awarded this contract and you did not acquire one piece of land, and that is why we doing things differently now.

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

**Sen. The Hon. R. Sinanan:** We are doing things differently.

Take, for, instance the Curepe Interchange, some people got 100 per cent of their money; some people decided, look, they are not satisfied with the final quantity by the Commissioner of Valuations, but you can deal with that because they have to be relocated. They have access to 80 per cent of the money, and you get 80 per cent of the money, you utilize that for whatever you want, the matters go on, and whatever is the final figure determined by the courts, you get interest on the final 20 per cent if it is more. If it is the same amount, then that is worked out. But there is a process to deal with it, and I can tell you, if you look at the Curepe Interchange and the system used, it was totally different.

Sen. Deyalsingh spoke about waiting for this commission of enquiry to finish and then to move on, because it is the same NIDCO. It might be the same NIDCO but it is a different process. The Commissioner of Valuations determines these figures here based on a market value, based on valuations done by the owner of the property and valuations by the Commissioner of Valuations, and that is where the negotiation starts.

**4.35 p.m.**

Compare that to how NIDCO went around.

NIDCO hired four people to negotiate and to value for them. Paid \$17 million for that, \$17 million. And everybody—lawyer doing valuation, this one doing valuation, that one doing valuation, and money just paying out. “Who get,

get and who eh get, ah sorry for all yuh.” That is not how this is operating. NIDCO is the executing agency. The Commissioner of Valuations is dealing with the land acquisition, totally different, totally different. That is how it is supposed to be done.

In the case of this highway I can tell you two of the owners have already been paid 100 per cent, 100 per cent, and everybody else can access, once you get that final figure from the Commissioner of Valuations, 80 per cent of the money if you are not satisfied with the final. If you are satisfied with the final you take your 100 per cent of your money and you evacuate.

I can tell you in the Curepe Interchange, we did use land because some people had to move and they wanted a place to go. Land was identified but unlike the south highway again, where people got two and three times the price for their money and they got the land free, in the Curepe Interchange a value was put on that land and that value was subtracted from the money that you were supposed to get. Because it cannot only be fair for the person who is selling the land, it has to be fair to the State as well. But that money was not taken out, it would go against the final 20 per cent. So the person does not lose it or it comes out of the 80 per cent. When we pay you the final 20, we will take that quantity out and we pay you the difference that we have to pay you.

So, this Government knows what it is doing. Unfortunately the history of land acquisition in this country, I would admit, has really gone haywire. And what we are doing here today is to try to pull that back into line. I have no doubt that all right-thinking citizens will want this to be supported by everyone, because it is the first time that the right thing is being done. And despite the allegations that Sen. Mark, who knows better, who knows that he is just throwing words into a vacuum just to get a sound bite, knows that if you follow the process here, everything here

has been done above board. And there is nobody trying to skim off the Treasury and trying to make any money out of it. Most of the landowners here, at least all that I saw have owned these lands for generations. Nobody went and quickly bought land to try to get any money, nobody. If you look at some of the names here you would see that these names are generational names in the village of Guaico. And I fully support that they should be paid a fair value for their land.

Mr. President, I have no more to say except to say I beg to move. Thank you.

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

*Question put and agreed to.*

*Resolved:*

That this House approve the decision of the President to acquire the lands described in Appendix II for the public purpose specified.

**APPENDIX II**

| <b>DESCRIPTION OF LAND</b>  | <b>PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED</b>  |
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| 1. The parcel of land comprising approximately 0.5202 of a hectare, more or less, situate off Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 6th March, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill | For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road- |

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| <p>Roosevelt Highway Extension to Manzanilla Phase 1—<br/>Cumuto Junction to Toco Main Road-Chainage 6+600 to<br/>20+400.</p> <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>The parcel of land comprising approximately 0.5202 of a<br/>hectare, more or less, situate off Guaico Trace, Guaico, in<br/>the Ward of Tamana, in the County of St. Andrew, and said<br/>to belong now or formerly to Amy Poon, Beverley Poon,<br/>Mathew Poon, Avis Poon and Jannien Poon.</p> <p>The parcel is more particularly shown coloured raw sienna<br/>under Survey Order 9/2019 and signed by the Director of<br/>Surveys on 6th March, 2019 and referenced as AAA 118 in<br/>the Vault of the Surveys and Mapping Division at the Office<br/>of the Director of Surveys, No. 118, Frederick Street, Port-<br/>of-Spain.</p> | <p>Chainage 6+600 to<br/>20+400</p>   |
| <p><b>DESCRIPTION OF LAND</b></p>   | <p><b>PUBLIC<br/>PURPOSES FOR<br/>WHICH TO BE<br/>ACQUIRED</b></p>  |
| <p>2. The parcel of land comprising approximately 1.7318 hectares,<br/>more or less, situate off Guaico Trace, Guaico, in the Ward of<br/>Tamana, in the County of St. Andrew, and described in the<br/>Schedule and coloured raw sienna on a plan of survey signed by<br/>the Director of Surveys dated 6th March, 2019 and filed in his<br/>office, are required for a public purpose, namely: for the<br/>construction of the Churchill Roosevelt Highway Extension to</p>   | <p>For the construction<br/>of the Churchill<br/>Roosevelt Highway<br/>Extension to<br/>Manzanilla Phase 1—<br/>Cumuto Junction to<br/>Toco Main Road</p> |

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| <p>Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>The parcel of land comprising approximately 1.7318 hectares, more or less, situate off Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to belong now or formerly to Amy Poon, Beverley Poon, Mathew Poon, Avis Poon and Jannien Poon.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 9/2019 and signed by the Director of Surveys on 6th March, 2019 and referenced as AAA 118 in the Vault of the Surveys and Mapping Division at the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.</p> | <p>Chainage 6+600 to 20+400</p>  |
| <p><b>DESCRIPTION OF LAND</b></p>  | <p><b>PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED</b></p>   |
| <p>3 The parcel of land comprising approximately 0.7310 of a hectare, more or less, situate off Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 6th March, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p>  | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> |



| <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>The parcel of land comprising approximately 0.7310 of a hectare, more or less, situate off Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to belong now or formerly to Malcolm Gerald Davis.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 9/2019 and signed by the Director of Surveys on 6th March, 2019 and referenced as AAA 118 in the Vault of the Surveys and Mapping Division at the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.</p>  |  |
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| <p style="text-align: center;"><b>DESCRIPTION OF LAND</b></p>   | <p style="text-align: center;"><b>PUBLIC<br/>PURPOSES FOR<br/>WHICH TO BE<br/>ACQUIRED</b></p>   |
| <p>4. The parcel of land comprising approximately 0.7926 of a hectare, more or less, situate off Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 6th March, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>The parcel of land comprising approximately 0.7926 of a</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> |

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| <p>hectare, more or less, situate off Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to belong now or formerly to Robert Kennedy.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 9/2019 and signed by the Director of Surveys on 6th March, 2019 and referenced as AAA 118 in the Vault of the Surveys and Mapping Division at the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.</p>   |   |
| <p><b>DESCRIPTION OF LAND</b></p>  | <p><b>PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED</b></p>  |
| <p>5. The parcel of land comprising approximately 1.1525 hectares, more or less, known as Lot 20, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>The parcel of land comprising approximately 1.1525 hectares, more or less, known as Lot 20, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to be leased from the State.</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400</p> |

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| <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 137 in the Vault of the Surveys and Mapping Division at the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.</p>  |   |
| <p><b>DESCRIPTION OF LAND</b></p>   | <p><b>PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED</b></p>  |
| <p>6. The parcel of land comprising approximately 0.2108 of a hectare, more or less, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>The parcel of land comprising approximately 0.2108 of a hectare, more or less, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to belong now or formerly to Ramroop Ganger.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400</p> |

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| <p>Surveys on 9th September, 2019 and referenced as AAA 137 in the Vault of the Surveys and Mapping Division at the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.</p>  |   |
| <p style="text-align: center;"><b>DESCRIPTION OF LAND</b></p>   | <p style="text-align: center;"><b>PUBLIC<br/>PURPOSES FOR<br/>WHICH TO BE<br/>ACQUIRED</b></p>  |
| <p>7. The parcel of land comprising approximately 2.7045 hectares, more or less, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>The parcel of land comprising approximately 2.7045 hectares, more or less, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to belong now or formerly to St. Clair Oxley.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 137 in the Vault of the Surveys and Mapping Division at the</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400</p> |

| Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.  |   |
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| <b>DESCRIPTION OF LAND</b>  | <b>PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED</b>   |
| <p>8. The parcel of land comprising approximately 1.1440 hectares, more or less, known as Lot 15, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>The parcel of land comprising approximately 1.1440 hectares, more or less, known as Lot 15, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to be leased from the State now or formerly by Junior Gonzales.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 137 in the Vault of the Surveys and Mapping Division at</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400</p> |

| <p>the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.</p>  |  |
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| <b>DESCRIPTION OF LAND</b>   | <b>PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED</b>  |
| <p>9. The parcel of land comprising approximately 0.7209 of a hectare, more or less, known as Lot 14, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>The parcel of land comprising approximately 0.7209 of a hectare, more or less, known as Lot 14, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to be leased from the State now or formerly by Sandra Rampersad.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 137 in the Vault of the Surveys and Mapping Division at the</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> |

| Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.  |  |
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| <b>DESCRIPTION OF LAND</b>  | <b>PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED</b>  |
| <p>10.The parcel of land comprising approximately 0.4858 of a hectare, more or less, known as Lot 13, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>The parcel of land comprising approximately 0.4858 of a hectare, more or less, known as Lot 13, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to be leased from the State now or formerly by Selwyn Joseph.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 137 in the Vault of the Surveys and Mapping Division at the</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> |

| Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.   |   |
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| <b>DESCRIPTION OF LAND</b>   | <b>PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED</b>   |
| <p>11.The parcel of land comprising approximately 0.1610 of a hectare, more or less, known as Lot 12, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>The parcel of land comprising approximately 0.1610 of a hectare, more or less, known as Lot 12, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to be leased from the State now or formerly by Julian Caton.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 137 in the Vault of the Surveys and Mapping Division at the</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400</p> |



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| <b>DESCRIPTION OF LAND</b>   | <b>PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED</b>  |
| <p>12.The parcel of land comprising approximately 0.6953 of a hectare, more or less, known as Lot 21, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>The parcel of land comprising approximately 0.6953 of a hectare, more or less, known as Lot 21, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to be leased from the State now or formerly by Mathew David.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 137 in the Vault of the Surveys and Mapping Division at the</p> | For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400 |

| Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.  |  |
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| <b>DESCRIPTION OF LAND</b>  | <b>PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED</b>  |
| <p>13.The parcel of land comprising approximately 0.4606 of a hectare, more or less, known as Lot 22, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>The parcel of land comprising approximately 0.4606 of a hectare, more or less, known as Lot 22, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to be leased from the State now or formerly by Angela Lawrence Williams, Clair Mentz and Selwyn Mentz.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 137 in the Vault of the Surveys and Mapping Division at the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.</p> | For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400 |

| <b>DESCRIPTION OF LAND</b>   | <b>PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED</b>   |
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| <p>14. The parcel of land comprising approximately 0.3843 of a hectare, more or less, known as Lot 28, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>The parcel of land comprising approximately 0.3843 of a hectare, more or less, known as Lot 28, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to be leased from the State now or formerly by Samuel Ali.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 137 in the Vault of the Surveys and Mapping Division at the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400</p> |

| <b>DESCRIPTION OF LAND</b>   | <b>PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED</b>   |
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| <p>15. The parcel of land comprising approximately 0.1189 of a hectare, more or less, known as Lot C, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>The parcel of land comprising approximately 0.1189 of a hectare, more or less, known as Lot C, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to belong now or formerly to Barbara Caesar.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 137 in the Vault of the Surveys and Mapping Division at the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400</p> |

| <b>DESCRIPTION OF LAND</b>   | <b>PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED</b>   |
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| <p>16.The parcel of land comprising approximately 0.2601 of a hectare, more or less, known as Lot D, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>The parcel of land comprising approximately 0.2601 of a hectare, more or less, known as Lot D, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to belong now or formerly to Edna Smith.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 137 in the Vault of the Surveys and Mapping Division at the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400</p> |

| <b>DESCRIPTION OF LAND</b>  | <b>PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED</b>   |
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| <p>17.The parcel of land comprising approximately 0.4371 of a hectare, more or less, known as Lot E, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>The parcel of land comprising approximately 0.4371 of a hectare, more or less, known as Lot E, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to belong now or formerly to Keith Stephen, Francis Stephen, Victor Stephen, Gerard Stephen and Marion Nobbie.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 137 in the Vault of the Surveys and Mapping Division at the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400</p> |

| <b>DESCRIPTION OF LAND</b>  | <b>PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED</b>   |
|---|---|
| <p>18.The parcel of land comprising approximately 0.4634 of a hectare, more or less, known as Lot F, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>The parcel of land comprising approximately 0.4634 of a hectare, more or less, known as Lot F, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to belong now or formerly to Frank Stephen, Arthur Stephen, Cynthia Hermes Stephen and Barbara Caesar.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 137 in the Vault of the Surveys and Mapping Division at the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400</p> |

| <b>DESCRIPTION OF LAND</b>  | <b>PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED</b>   |
|---|---|
| <p>19.The parcel of land comprising approximately 1.3200 hectares, more or less, known as Lot 31, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>The parcel of land comprising approximately 1.3200 hectares, more or less, known as Lot 31, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to be leased from the State.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 137 in the Vault of the Surveys and Mapping Division at the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400</p> |



| <b>DESCRIPTION OF LAND</b>   | <b>PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED</b>   |
|--|---|
| <p>20. The parcel of land comprising approximately 1.4859 hectares, more or less, known as Lot 30, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>The parcel of land comprising approximately 1.4859 hectares, more or less, known as Lot 30, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to be leased from the State now or formerly by Samuel Ali.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 137 in the Vault of the Surveys and Mapping Division at the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400</p> |

| <b>DESCRIPTION OF LAND</b>   | <b>PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED</b>   |
|--|---|
| <p>21. The parcel of land comprising approximately 1.7247 hectares, more or less, known as Lot 29, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>A parcel of land comprising approximately 1.7247 hectares, more or less, known as Lot 29, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to be leased from the State now or formerly by Samuel Ali.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 137 in the Vault of the Surveys and Mapping Division at the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400</p> |

| <b>DESCRIPTION OF LAND</b>  | <b>PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED</b>   |
|---|---|
| <p>22.The parcel of land comprising approximately 0.2308 of a hectare, more or less, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>A parcel of land comprising approximately 0.2308 of a hectare, more or less, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to belong now or formerly to John Afoon and Peter Scoon.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 138 in the Vault of the Surveys and Mapping Division at the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400</p> |

| <b>DESCRIPTION OF LAND</b>  | <b>PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED</b>   |
|---|---|
| <p>23.The parcel of land comprising approximately 4.2257 hectares, more or less, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>A parcel of land comprising approximately 4.2257 hectares, more or less, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to belong now or formerly to John Afoon and Peter Scoon.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 138 in the Vault of the Surveys and Mapping Division at the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400</p> |

| <b>DESCRIPTION OF LAND</b>   | <b>PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED</b>   |
|--|---|
| <p>24. The parcel of land comprising approximately 2.3622 hectares, more or less, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>A parcel of land comprising approximately 2.3622 hectares, more or less, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to belong now or formerly to Realsons Limited.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 138 in the Vault of the Surveys and Mapping Division at the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400</p> |

| <p align="center"><b>DESCRIPTION OF LAND</b></p>   | <p align="center"><b>PUBLIC<br/>PURPOSES FOR<br/>WHICH TO BE<br/>ACQUIRED</b></p>   |
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| <p>25.The parcel of land comprising approximately 876.0 square metres, more or less, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p align="center"><b><u>SCHEDULE</u></b></p> <p>A parcel of land comprising approximately 876.0 square metres, more or less, situate at Guaico Trace, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to belong now or formerly to Barbara Juteram and Anthony Reginald Juteram.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 138 in the Vault of the Surveys and Mapping Division at the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400</p> |

| <p align="center"><b>DESCRIPTION OF LAND</b></p>  | <p align="center"><b>PUBLIC<br/>PURPOSES FOR<br/>WHICH TO BE<br/>ACQUIRED</b></p>   |
|---|---|
| <p>263.The parcel of land comprising approximately 0.6888 of a hectare, more or less, situate at the Corner of Guaico Trace and Eastern Main Road, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p align="center"><b><u>SCHEDULE</u></b></p> <p>A parcel of land comprising approximately 0.6888 of a hectare, more or less, situate at the Corner of Guaico Trace and Eastern Main Road, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to belong now or formerly to Premium Products Limited.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 138 in the Vault of the Surveys and Mapping Division at the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400</p> |

| <p align="center"><b>DESCRIPTION OF LAND</b></p>   | <p align="center"><b>PUBLIC<br/>PURPOSES FOR<br/>WHICH TO BE<br/>ACQUIRED</b></p>   |
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| <p>27.The parcel of land comprising approximately 583.9 square metres, more or less, known as Lot 8, situate at Eastern Main Road, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p align="center"><b><u>SCHEDULE</u></b></p> <p>A parcel of land comprising approximately 583.9 square metres, more or less, known as Lot 8, situate at Eastern Main Road, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to belong now or formerly to Kenneth Mastay and Rani McKenzie.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 138 in the Vault of the Surveys and Mapping Division at the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400</p> |



| <p align="center"><b>DESCRIPTION OF LAND</b></p>  | <p align="center"><b>PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED</b></p>  |
|---|--|
| <p>28.The parcel of land comprising approximately 612.5 square metres, more or less, known as Lot 7, situate at Eastern Main Road, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1 — Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p align="center"><b><u>SCHEDULE</u></b></p> <p>A parcel of land comprising approximately 612.5 square metres, more or less, known as Lot 7, situate at Eastern Main Road, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to belong now or formerly to Roopenadder Singh, Dolly Singh and Navindra Singh.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 138 in the Vault of the Surveys and Mapping Division at the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1— Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400</p> |

| <b>DESCRIPTION OF LAND</b>   | <b>PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED</b>   |
|--|---|
| <p>29. The parcel of land comprising approximately 0.1820 of a hectare, more or less, known as Lot 6, situate at Eastern Main Road, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p style="text-align: center;"><b><u>SCHEDULE</u></b></p> <p>A parcel of land comprising approximately 0.1820 of a hectare, more or less, known as Lot 6, situate at Eastern Main Road, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to belong now or formerly to Kenneth Mastay</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 138 in the Vault of the Surveys and Mapping Division at the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400</p> |

| <p align="center"><b>DESCRIPTION OF LAND</b></p>  | <p align="center"><b>PUBLIC<br/>PURPOSES FOR<br/>WHICH TO BE<br/>ACQUIRED</b></p>   |
|---|---|
| <p>30.The parcel of land comprising approximately 0.1935 of a hectare, more or less, situate at Eastern Main Road, Guaico, in the Ward of Tamana, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p align="center"><b><u>SCHEDULE</u></b></p> <p>A parcel of land comprising approximately 0.1935 of a hectare, more or less, situate at Eastern Main Road, Guaico, in the Ward of Tamana, in the County of St. Andrew, and said to belong now or formerly to Keith Quamina.</p> <p>The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 138 in the Vault of the Surveys and Mapping Division at the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400</p> |

| <p align="center"><b>DESCRIPTION OF LAND</b></p>   | <p align="center"><b>PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED</b></p>   |
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| <p>31. The parcel of land comprising approximately 0.5589 of a hectare, more or less, known as Lots 1, 2, 3, 4 and 5, situated at Eastern Main Road, Guaico, in the Ward of Manzanilla, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p align="center"><b><u>SCHEDULE</u></b></p> <p>A parcel of land comprising approximately 0.5589 of a hectare, more or less, known as Lots 1, 2, 3, 4 and 5, situate at Eastern Main Road, Guaico, in the Ward of Manzanilla, in the County of St. Andrew, and said to belong now or formerly to Michelle Ramdass, Michael James Udit Ramdass, Andrew Surjmal and Danny Guerra. The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 138 in the Vault of the Surveys and Mapping Division at the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400</p> |

| <p align="center"><b>DESCRIPTION OF LAND</b></p>  | <p align="center"><b>PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED</b></p>   |
|---|---|
| <p>32.The parcel of land comprising approximately 0.1198 of a hectare, more or less, known as Lot 6, situate at Eastern Main Road, Guaico, in the Ward of Manzanilla, in the County of St. Andrew, and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys dated 9th September, 2019 and filed in his office, are required for a public purpose, namely: for the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400.</p> <p align="center"><b><u>SCHEDULE</u></b></p> <p>A parcel of land comprising approximately 0.1198 of a hectare, more or less, known as Lot 6, situate at Eastern Main Road, Guaico, in the Ward of Manzanilla, in the County of St. Andrew, and said to belong now or formerly to Martin Aquan. The parcel is more particularly shown coloured raw sienna under Survey Order 175/2019 and signed by the Director of Surveys on 9th September, 2019 and referenced as AAA 138 in the Vault of the Surveys and Mapping Division at the Office of the Director of Surveys, No. 118, Frederick Street, Port-of-Spain.</p> | <p>For the construction of the Churchill Roosevelt Highway Extension to Manzanilla Phase 1—Cumuto Junction to Toco Main Road-Chainage 6+600 to 20+400</p> |

**Mr. President:** Leader of Government Business.

**ADJOURNMENT**

**UNREVISED**

**The Minister of Foreign and CARICOM Affairs (Sen. The Hon. Dr. Amery Browne):** Mr. President, I beg to move that this Senate do now adjourn to a date to be fixed.

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

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

**Unit Trust Corporation of Trinidad and Tobago Act**

**(Urgent Review Needed)**

**Sen. Hazel Thompson-Ahye:** Thank you, Mr. President, for the opportunity to raise on the Motion for the Adjournment the matter of the need for the Government to urgently review the Unit Trust Corporation of Trinidad and Tobago Act, Chap. 83:03 of the Laws of Trinidad and Tobago with a view to addressing matters relating to the property of the mentally ill and deceased unitholders.

Mr. President, the Unit Trust Corporation of Trinidad and Tobago is a great success story. Most unit holders, if not all, are pleased with the return on their investments. They are convinced that the Unit Trust operates for the benefit of their clients, both rich and poor. Unit holders do not have to endure high charges and low interest rates as investors in some other financial institutions which declare millions of dollars in profits annually. We unit holders feel that here is a financial institution that cares for us.

Sadly, that is not the whole story. When you feel nailed to the cross by a death or mental disability of a family member, the banks and so too the credit unions and friendly societies can be friendly allies, understanding, cooperative, facilitative and humane. Once you provide sufficient proof, a medical certificate or a certified copy of a death certificate, they will give your lawyer information.

Relatives to the patient's or deceased's account may allow you access to the accounts of your family member to meet his living expenses or verified reasonable funeral expenses, not so with the Unit Trust, which proves in those circumstances not to be your saviour but your stumbling block as you try to negotiate legal quagmires. The situation is so ridiculous that it is untenable.

Consequently, I am forced to agree with Charles Dickinson, Mr. Bumble in *Oliver Twist* and Calypsonian Short Pants. They famously described the law in language, which if I should use here, will be ruled unparliamentary. So I must desist. They used the well-known description of the law to deprecate the application of the law in a manner which defies commonsense. The scenarios I will now share illustrate how apt that description is and explain why I feel duty-bound to call for urgent law reform.

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

The Unit Trust Corporation of Trinidad and Tobago set up a statutory trust whose operations are governed by the wording of the Unit Trust Act. Section 40(2) thereof provides that:

“Any person...”—named in subsection 40(1) namely:

“Every Director, officer or other employee of the Trust, or any employee of the Central Bank whose services are utilised by the Trust...

...who communicates or condones the communication to any person not legally entitled thereto of any information relating to the affairs of any person having any dealings with the Trust, or relating to the affairs of the Trust is liable upon summary conviction to a fine of one thousand dollars and to imprisonment for one year.”

Section 40(1) of the Unit Trust Act and its Regulation 18 require that before embarking on their duties the officials named above and other committee members

make a declaration of secrecy which preclude them from disclosing, save to a nominee of the unit holder or the executor of the estate of a deceased unit holder, any information regarding the particulars of the unit holder's accounts.

Further, Regulation 29(2) states a nomination ceases to be valid in the event that the nominee pre-deceases the unitholder. But what if information on the particulars of the unit holder's account is required for filing an application under the Mental Health Act. Hereafter in the case of a unit holder suffering from dementia or other serious mental disorder and the unit holder never named a nominee or his nominee has died. What if the information is necessary for gathering the assets of the deceased in the case where the unit holder has no nominee, has not made a will or has not appointed an executor under his will and a grant of letters of administration must be applied for. The above scenarios, true life situations have prompted me to apply for leave to raise this matter on the Motion for Adjournment of the Senate.

Let us look at No. 1, application under the Mental Health Act. An elderly man is suffering from dementia, his next of kin, his married daughters and their own families hire a round the clock team of nurses to manage his day to day care. These children have no interest averse to their father's, and need money to pay for his nursing care. They know he possesses assets in the form of accounts in the bank, credit union and Unit Trust. Their lawyer advises that they obtain an order under section 36 of the Mental Health Act to be appointed a committee to manage their father's affairs and his daily care. They get a medical report from a highly regarded consultant psychiatrist who certifies the patient suffers from dementia and is incapable of handling his affairs or performing any transaction, this state is permanent.

But, section 37(1)(b) of the Mental Health Act requires that the court be



provided with inter alia:

“a statement by the applicant giving a detailed description of the...property and the value thereof;”

The lawyer writes the patient's bank, credit union and Unit Trust explaining the position, attaching the medical report and requesting information on the accounts of the patient. The banks and credit union comply and provide the information requested. In the case of the Unit Trust account, the unit holder must come into the Unit Trust and request the information himself or the nominee on his account must request it. This response is to me astonishing, astounding, mind-boggling and exasperating. Was the patient to be escorted to the Unit Trust for him to be questioned by a Unit Trust employee, questions that he is incapable of answering? His nominee, his dear wife has pre-deceased him. What then?

While acknowledging the requirements of the Mental Health Act for a statement containing the details and value of a patient's property, the Unit Trust expresses the view that there was, and I quote:

No corresponding duty, no obligation for an institution to breach its enabling legislation to provide information in support of an application.

And conclude:

While the Corporation was sympathetic to families in this situation, they were unable to assist.

This clearly indicates that the stumbling block was the Unit Trust Act. Can they take sympathy to the court? Mr. Bumble knew of what he spoke.

Sadly, while attempts were being made to have the Unit Trust see reason, the patient dies, he has not made a will. His wife who pre-deceased him also died, intestate, she too had shares in the Unit Trust each was a nominee of the other. Since neither of them had made a will there is no executor, their children must

apply for letters of administration. This brings me to scenario no. 2, application for a grant of letters of administration.

Under the non-contentious business rules made under the Wills and Probate Act, applicants for the grant are required under rule 3(1) to file together with the application for the grant, an affidavit in support of the application and an inventory of the particulars of the estate of the deceased showing the several items of property, the nature and extent thereof, and the estimated gross value of each.

Rule 3(2)(a) requires that:

“The inventory shall be annexed to the affidavit of the applicant in support of

his application and he shall depose that the same comprises all the real and personal estate of the deceased and that the value therein set out is correct to the best of his knowledge and belief or with such exception as shall be shown

therein.”

And exception in rule 2(a)(b) is that the:

“...property...is so situate or circumstanced as to appear incapable of immediate valuation.”

So must the deceased unit holder’s daughters, the applicant for his estate, swear to the affidavit in support, taken to the probate registrar, “we know our father has assets in the Unit Trust Corporation but we do not know the value”. “The officials there say they cannot give the information as neither we nor our lawyer are qualified under their rules as being a person legally entitled to information, should be his nominee or the executor of his estate.”

**Mr. President:** Senator, Senator, you have two more minutes.

**Sen. H. Thompson-Ahye:** So the children’s mother died a few months ago, the

father was a nominee, he was asked to attend the Office of the Unit Trust with a copy of the mother's death certificate and two forms of photo ID to access these accounts. As he was suffering from dementia it made no sense to even attempt to comply. So the father died a few months later as his wife's nominee, he was entitled to a Unit Trust account. The only information Unit Trust provided is that one account was in TT dollars, the other in US dollars. File inventory, really?

Mr. President, successive chairmen and legal advisors have seen the need to amend the law. This has not been done. I learned that young men making representation for the amendment to 1981 law, a number of lawyers fully agreed that this law must be amended as a matter of urgency, not later but now. Consequently, to save the taxpayers money are in a true Mausican tradition of molding a nation through service, I humbly offer free advice to the Government.

I recommend that the Government follow the precedent in Barbados Mutual Funds law which mandates secrecy and prohibits disclosure of information, but unlike our law it allows for exceptions. So section 50 of the Barbados Act provides that prohibition against disclosure of information:

“...shall not apply to a disclosure”

—that is—“lawfully required or permitted by a court; or permitted or authorised by any other Act.”

Information about the unit holder's account is required under the Mental Health Act, and the Wills and Probate and Administration of Estates Acts. On behalf of my clients, the many lawyers who exasperated and their clients who are suffering, I call on the Government to make the necessary amendments to the Unite Trust Act as a matter of urgency. I thank you.

**4.50 p.m.**

**The Minister in the Ministry of Finance (Hon. Brian Manning):** Thank you,

Mr. Vice-President. Mr. Vice-President, no change to the Unit Trust Corporation or UTC Act is required to address the Senator's concern. As it relates to the mentally ill, the concern arises from the Mental Health Act or MHA. There is a process under the MHA by which family members are permitted to access the funds of persons with a mental incapacity such as Alzheimer's or dementia. That process is applied across all financial institutions including banks, credit unions and the UTC. Any additional access to information or funds may only be granted if the MHA is amended to allow for such information or funds to be accessed.

Mr. Vice-President, as it relates to deceased unit holders, the UTC Act section 40(2) restricts the UTC from disclosing information:

“...to any person not legally entitled thereto of any information relating to the affairs of any person having any dealings with the Trust...”

As a result, the UTC does not permit the disclosure of unit holder information to applicants for letters of administration following the death of the unit holder. Information is provided to the executors appointed by unit holders in their last will and testament. Thank you.

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

### **Establishment of National Investment Fund II (Government's Intention)**

**Sen. Wade Mark:** Thank you, Mr. Vice-President. Mr. Vice-President, I have raised this matter on the Motion for the Adjournment to extract from the Government what is the stat—the status, rather, of the Government's intention to establish what they call NIF II, a National Investment Fund II. Now, Mr. Vice-President, the Minister of Finance is on record in many different fora and interviews as expressing an interest in beginning the establishment of NIF II. Against that enthusiasm on the part of the Minister, he did indicate that you needed

assets to back the bonds and/or the shares if the Government is to pursue a NIF II. He also indicated in interviews that the Government is very close to acquiring a particular asset that would go into the basket to establish NIF II.

One concluded that the price asset that the Government was referring to, and the Minister in this instance, would have been the shares that Clico owned in MHIL. The Minister in the Ministry of Finance reported to us just a couple of days ago that that transaction involving the 36.63 per cent of Clico's shareholding in the MHIL, that portion was divided and sold to the Government, through corporation sole, 19.63 per cent, and the remaining 17 per cent was taken up by the NIF Holding Company Limited.

The question that we are seeking to clarify here is: What was the valuation price paid by NIF for the 17 per cent shareholding of Clico's 36.63 per cent shares in Methanol Holdings International Limited? What we know is that there were two valuations, an independent valuation conducted by Duff & Phelps which was updated, and another valuation that was conducted by the Claire Gomez-Miller regime at Clico which is an in-house valuation. So we would like to clarify today, where do we stand? Where do the people—or should I rephrase it? Where are we today insofar as the 17 per cent shareholding purchased by NIF via Clico?

Clico has sold 17 per cent of the Methanol Holdings to NIF. What was the value of this 17 per cent? Was it over \$1 billion? Was it less than \$1 billion? Because the Minister himself admitted in a presentation a few days ago that the 19.63 per cent purchased by corporation sole was only able to satisfy a part of the final payment owed to the Government by Clico. So it was the part payment, and the last time we checked, Mr. Vice-President, Clico at the end of November owed to the Government of Trinidad and Tobago \$1.07 billion. And if we are being told by the Government that 17 per cent has gone to NIF, what is the value price? And

the 19.63 per cent has gone to corporation sole, what is the valuation price?

Mr. Vice-President, why today after two months of NIF purchasing 17 per cent of Clico's holdings via NIF, via the MHIL, why it is the register has not been updated? Why? Is there something to hide? And therefore, we call on the Minister in the Ministry of Finance, in the interest of transparency and accountability, to make the document and agreement available to the people of Trinidad and Tobago by tabling them in the Parliament. One, we want a copy of the shareholder or shareholders agreement between Clico and Methanol Holdings International Limited/CEL (Consolidated Energy Limited). That is the first agreement we are demanding be made available to the people to ensure transparency and accountability.

We would like, Mr. Vice-President, that the Minister of Finance table in this Parliament the share and purchase agreement between NIF and Clico. If you have nothing to hide make that document available. The third document we wish them to table here is the share valuation agreement.

**Mr. Vice-President:** Sen. Mark, you have two more minutes.

**Sen. W. Mark:** And the final document we wish them to table here is the final and actual independent valuation report so that Trinidad and Tobago can see very transparently that this transaction was conducted above board and the taxpayers are not being fleeced by anyone.

So, Mr. Vice-President, in the interest of our taxpayers, in the interest of the people of Trinidad and Tobago, we demand of the Government the laying of all these agreements on our parliamentary desk in both Houses, shareholders agreement, sale and purchase agreement, the share valuation report and agreement, and the actual and final independent valuation report so that everybody could see transparently everything is above board and there is nothing to hide and the

Government is coming clean. So we demand those reports and agreements be tabled on this matter. Mr. Vice-President, I thank you very much.

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

**The Minister in the Ministry of Finance (Hon. Brian Manning):** Thank you, Mr. Vice-President. Mr. Vice-President, the matter on the Motion for the Adjournment makes no mention of MHIL. We in the Ministry of Finance are not possessed of superhuman abilities and, therefore, could not possibly know that Sen. Mark's matter was actually about MHIL shares and not about NIF II—

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

**Hon. B. Manning:**—as clearly stated in the wording of the matter lodged with the Senate and sent to the Ministry of Finance. Accordingly, we will respond in accordance with the wording of the matter.

Series A, \$1.2 billion bond of the original NIF bonds, NIF I, is due to mature on August 09, 2023. The Ministry of Finance is currently focused on ensuring that sufficient funds are available to pay this tranche of the first set of NIF bonds. After this, NIF will launch a series D bond using appropriate state assets which can be considered to be a NIF II issue. The terms of the series D NIF bonds will be similar to the original NIF bonds appropriately adjusted for current market conditions.

Thank you, Mr. Vice-President.

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

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 5.03 p.m.*